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Forty-fifth session
Agenda item 121

CURRENT FINANCIAL CRISIS OF THE UNITED NATIONS

FINANCIAL EMERGENCY OF THE UNITED NATIONS

WORKING CAPITAL FUND

Report of the Advisory Committee on Administrative and Budgetary Questions

1. In paragraph 12 of its report on the current financial crisis of the United Nations and the financial emergency of the United Nations (A/44/873) the Advisory Committee recommended that consideration of the Secretary-General's proposal to increase the level of the Working Capital Fund be deferred to the forty-fifth session of the General Assembly; the Advisory Committee stated its intention to submit definitive recommendations on the subject at that time. The observations and recommendations of the Advisory Committee with regard to the Working Capital Fund can be grouped under the following headings: (a) purpose; (b) level; (c) financing; (d) implementation.

(a) Purpose

2. The uses of the Working Capital Fund are enumerated in paragraph 5 of General Assembly resolution 44/204. Paragraph 5 (a) of General Assembly resolution 44/204 provides that the Secretary-General is authorized to advance from the Working Capital Fund "such sums as may be necessary to finance budgetary appropriations pending the receipt of contributions; sums so advanced shall be reimbursed as soon as receipts from contributions are available for that purpose". The Advisory Committee believes that this formulation is broad enough to cover advances necessary to finance start-up costs of peace-keeping operations since the term "budgetary appropriations" can refer not only to appropriations for the regular budget, but to appropriations for the budgets of the peace-keeping operations as

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well. Bearing in mind, however, that the scales of assessment for the costs of peace-keeping operations can and have been different from that of the regular budget, there is a need for Member States to address the way in which the Fund should be financed to cover the costs of peace-keeping, as well as the manner in which any increase in the Fund is initially financed.

(b) Level

3. In paragraph 25 of its report (A/44/725), the Advisory Committee stated:

> "Taken together, the existing level of the Working Capital Fund as a percentage of the combined regular budget and peace-keeping appropriations for 1985 amounts to 10.7 per cent, the comparable figure for 1989 is 6.0 per cent. Under the circumstances, the Advisory Committee believes that the time has come to consider an increase of the Working Capital Fund."

In this connection the Committee notes from paragraph 12 of the Secretary-General's report on the financial emergency that at "the end of 1989 ... these outstanding contributions substantially exceeded the $412.5 million then available from the Working Capital Fund ($100 million), the Special Account (about $113.5 million) and the amounts realized from the suspension of the provisions of financial regulations 4.3, 4.4 and 5.2 (d) ($199 million)".

4. The Advisory Committee notes from paragraph 33 of the Secretary-General's report (A/C.5/44/27) that based "on views expressed to date during the forty-fourth session of the General Assembly, it would appear that most Member States have agreed with both the principle of an increase in the Working Capital Fund and the size of such an increase". The Advisory Committee points out that the necessary broad agreement among Member States on the principle of an increase must be preceded by a clear understanding and agreement on the reasons for the increase. The Advisory Committee believes it should be clear from the outset that an increase in the level of the Working Capital Fund is not occasioned by or seen as a solution to the financial difficulties of the United Nations. In the opinion of the Advisory Committee, the Working Capital Fund is a mechanism for ensuring an orderly cash flow which can only work properly when the financial régime of the Organization is respected by Member States; an increase in its size should only be contemplated as a purely technical consequence of an increase in the size of the Organization's assessed budgets and not as a solution to a political problem.

5. As to the size of the increase, the Advisory Committee believes that it should be decided at such time as it is considered propitious to implement the increase (see paras. 10 and 11 below).

(c) Financing

6. As indicated in paragraph 34 of the Secretary-General's report, "increases in the level of the Working Capital Fund have traditionally been effected by apportioning the amount of the increase among all Member States as part of their assessments". The Advisory Committee points out that repayments to the Fund would come from the account related to the activity for which the withdrawal was made.

7. For the reasons given in paragraph 36 of his report the Secretary-General has not put forward voluntary contributions as an option.

8. In paragraph 35 of his report, the Secretary-General puts forward, as a variation to straight assessment of the full amount of the increase, the idea of a series of smaller increases over a period of years until the desired total is achieved. This may indeed be a workable option; the time to consider it, however, is when actual implementation is being decided upon (see para. 11 below).

9. The option discussed in paragraphs 37 and 38 of the Secretary-General's report is, as stated in paragraph 37, essentially an accounting option. The situation which exists at the time of implementation will determine the utility of this device. In the opinion of the Advisory Committee, the variation put forward in paragraph 39 will not solve the problem, since increasing the assessments of those Member States which have not paid is likely to result in an increase in the deficit rather than an increase in the cash available to the Organization.

(d) Implementation

10. As stated in paragraph 4 above the Advisory Committee does not see an increase in the Working Capital Fund as a solution, even a partial one, to the financial difficulties of the United Nations. Moreover, as alluded to in paragraph 9 above, implementing such an increase prior to the resolution of the Organization's financial difficulties could lead to a worsening of the situation, since the outstanding obligations of certain Member States might even increase as a result. In any case, to increase current or future assessments while some Member States still owe significant amounts on prior assessments would result de facto in payment by those Member States which have fulfilled their financial obligation to the Organization of the shortfall created by those Member States which have not.

11. Under the present circumstances of financial difficulty, the Advisory Committee recommends that a decision on the implementation of an increase in the level of the Working Capital Fund should only take place when the principle of payment by Member States of their full financial obligations to the Organization - the underpinning of the financial health of the United Nations - is honoured. The Advisory Committee was informed that there is a positive change in the cash flow of the United Nations. The Committee trusts that in the near future the question of an increase and its exact level and method of payment can be determined in light of the most up-to-date data on the financial conditions and requirements of the Organization. Moreover, the General Assembly, at that time, can also consider steps to address the existing situation with regard to special accounts such as the ones referred to in paragraph 3 above.

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NATIONS

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APPOINTMENTS TO FILL VACANCIES IN SUBSIDIARY ORGANS AND OTHER APPOINTMENTS

Appointment of members of the Committee on Contributions

Report of the Fifth Committee

Rapporteur: Mr. Shamel NASSER (Egypt)

1. At its 41st meeting, on 7 December 1990, the Fifth Committee considered a note by the Secretary-General (A/45/102) concerning the vacancies in the membership of the Committee on Contributions that will occur as a result of the expiration of the term of office of six of its members on 31 December 1990.

2. The Fifth Committee also had before it a note by the Secretary-General (A/C.5/45/37) containing the names of seven persons nominated by their respective Governments for appointment or reappointment to the Committee on Contributions for a three-year term of office, beginning on 1 January 1991.

3. The Fifth Committee decided, by acclamation, to recommend the appointment to the Committee on Contributions, for a three-year term of office beginning on 1 January 1991, of Syed Amjad Ali (Pakistan), Mr. Yuri A. Chulkov (Union of Soviet Socialist Republics), Mr. Jorge Duhalt (Mexico) and Mr. Wang Liansheng (China).

4. The Fifth Committee then proceeded to elect by secret ballot two persons from the candidates proposed by States from the Group of Western European and Other States. The result of the voting was as follows:

Number of ballot papers:	146
Invalid ballots:	4
Number of valid ballots:	142
Abstentions:	None
Number of members voting:	142
Required majority:	72
Number of votes obtained:	
Mr. Henrik Amneus	98
Mr. Ugo Sessi	88
Mr. Jean-Louis Zoel	85

5. Having obtained the required majority and the highest number of votes, Mr. Henrik Amneus (Sweden) and Mr. Ugo Sessi (Italy) were declared recommended for appointment as members of the Committee on Contributions for a three-year term of office beginning on 1 January 1991.

RECOMMENDATION OF THE FIFTH COMMITTEE

6. The Fifth Committee recommends that the General Asembly should appoint the following persons as members of the Committee on Contributions for a three-year term of office beginning on 1 January 1991:

Syed Amjad Ali

Mr. Henrik Amneus

Mr. Yuri A. Chulkov

Mr. Jorge Duhalt

Mr. Ugo Sessi

Mr. Wang Liansheng

UNITED
NATIONS

A

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Agenda item 17 (c)

APPOINTMENTS TO FILL VACANCIES IN SUBSIDIARY ORGANS AND OTHER APPOINTMENTS

Appointment of a member of the Board of Auditors

Report of the Fifth Committee

Rapporteur: Mr. Shamel NASSER (Egypt)

1. At its 41st meeting, on 7 December 1990, the Fifth Committee considered a note by the Secretary-General (A/45/703) concerning the vacancy in the membership of the United Nations Board of Auditors that will occur as a result of the expiration of the term of office of one of its members on 30 June 1991.

2. The Fifth Committee also had before it a note by the Secretary-General (A/C.5/45/38) containing the names of two officials nominated by their respective Governments for appointment to the Board of Auditors.

3. At the same meeting, the Fifth Committee was informed that the Government of Jordan had decided to withdraw the candidature of the President of the Government Audit Office for Jordan for appointment to the Board of Auditors.

4. The Fifth Committee decided, by acclamation, to recommend the Auditor-General of Ghana for appointment as a member of the Board of Auditors for a three-year term of office beginning on 1 July 1991.

RECOMMENDATION OF THE FIFTH COMMITTEE

5. The Fifth Committee recommends that the General Assembly should appoint the Auditor-General of Ghana as a member of the United Nations Board of Auditors for a three-year term of office beginning on 1 July 1991.

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NATIONS

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APPOINTMENTS TO FILL VACANCIES IN SUBSIDIARY ORGANS AND OTHER APPOINTMENTS

Confirmation of the appointment of members of the Investments Committee

Report of the Fifth Committee

Rapporteur: Mr. Shamel NASSER (Egypt)

1. At its 40th meeting, on 5 December 1990, the Fifth Committee considered a note by the Secretary-General (A/45/104) concerning the vacancies in the membership of the Investments Committee that will occur as a result of the expiration of the term of office of three of its members on 31 December 1990.

2. The Fifth Committee also had before it a note by the Secretary-General (A/C.5/45/14), in which, in accordance with the provisions of article 20 of the regulations of the United Nations Joint Staff Pension Fund, the Secretary-General submitted for confirmation by the General Assembly the reappointment as members of the Investments Committee of Mr. Jean Guyot (France), Mr. George Johnston (United States of America) and Mr. Michiya Matsukawa (Japan) for a three-year term of office beginning on 1 January 1991.

3. The Fifth Committee decided, by acclamation, to recommend to the General Assembly that it should confirm the appointment as members of the Investments Committee of Mr. Jean Guyot, Mr. George Johnston and Mr. Michiya Matsukawa for a three-year term of office beginning on 1 January 1991.

RECOMMENDATION OF THE FIFTH COMMITTEE

4. The Fifth Committee recommends that the General Assembly should confirm the appointment by the Secretary-General of the following persons as members of the Investments Committee for a three-year term of office beginning on 1 January 1991:

Mr. Jean Guyot

Mr. George Johnston

Mr. Michiya Matsukawa.

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NATIONS

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APPOINTMENTS TO FILL VACANCIES IN SUBSIDIARY ORGANS AND OTHER APPOINTMENTS

Appointment of members of the United Nations Administrative Tribunal

Report of the Fifth Committee

Rapporteur: Mr. Shamel NASSER (Egypt)

1. At its 40th meeting, on 5 December 1990, the Fifth Committee considered a note by the Secretary-General (A/45/105) concerning the vacancies in the membership of the United Nations Administrative Tribunal that will occur as a result of the expiration of the term of office of two of its members on 31 December 1990.

2. The Fifth Committee also had before it a note by the Secretary-General (A/C.5/45/39) containing the names of two persons nominated by their respective Governments for appointment to the Administrative Tribunal for a three-year term of office beginning on 1 January 1991.

3. The Fifth Committee decided, by acclamation, to recommend the appointment to the United Nations Administrative Tribunal, for a three-year term of office beginning on 1 January 1991, of Mr. Luis M. de Posadas Montero (Uruguay) and Mr. Ioan Voicu (Romania).

RECOMMENDATION OF THE FIFTH COMMITTEE

4. The Fifth Committee recommends that the General Assembly should appoint the following persons as members of the United Nations Administrative Tribunal for a three-year term of office beginning on 1 January 1991:

Mr. Luis M. de Posadas Montero

Mr. Ioan Voicu.

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NATIONS

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APPOINTMENTS TO FILL VACANCIES IN SUBSIDIARY ORGANS
AND OTHER APPOINTMENTS

Appointment of members of the International Civil Service Commission and designation of the Chairman and Vice-Chairman of the Commission

Report of the Fifth Committee

Rapporteur: Mr. Shamel NASSER (Egypt)

1. At its 41st meeting, on 7 December 1990, the Fifth Committee considered a note by the Secretary-General (A/45/106) concerning the vacancies in the membership of the International Civil Service Commission that will occur as a result of the expiration of the term of office of five of its members on 31 December 1990, and the need to designate a Chairman and Vice-Chairman of the Commission. The Fifth Committee also considered a note by the Secretary-General (A/45/106/Add.1) advising the General Assembly of the resignation of a member of the Commission, requiring the appointment at the current session of a person to fill the unexpired portion of the term of office of the member who had resigned, that is, until 31 December 1992.

2. The Fifth Committee also had before it a note by the Secretary-General (A/C.5/45/40) containing the names of persons nominated by their respective Governments for appointment as Chairman, Vice-Chairman and members of the International Civil Service Commission, which included three persons for the two vacancies to be filled by candidates from the Group of African States, one person for the vacancy to be filled by a candidate from the Group of Eastern European States, one person for the vacancy to be filled by a candidate from the Group of Latin American States and one person for the vacancy to be filled by a candidate from the Group of Western European and Other States, as well as the name of one person nominated by his Government for appointment to the Commission to fill the unexpired portion of the term of office of the member who had resigned. The note by the Secretary-General further contained the list of candidates compiled by the Secretary-General, in accordance with the provisions of articles 4 and 5 of the Commission's statute, for appointment as members of the Commission.

Mr. Mohsen Belhaj Amor

Mrs. Turkia Daddah

Mr. André Xavier Pirson

Mr. Jaroslav Riha

Mr. Carlos S. Vegega;

(ii) For a two-year term of office beginning 1 January 1991:

Mr. Anatoly Matveyevich Dryukov;

(b) Designate Mr. Mohsen Belhaj Amor as Chairman of the Commission for a four-year term of office beginning 1 January 1991;

(c) Designate Mr. Carlos S. Vegega as Vice-Chairman of the Commission for a four-year term of office beginning 1 January 1991.

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NATIONS

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APPOINTMENTS TO FILL VACANCIES IN SUBSIDIARY ORGANS AND OTHER APPOINTMENTS

Appointment of an alternate member of the United Nations Staff Pension Committee

Report of the Fifth Committee

Rapporteur: Mr. Shamel NASSER (Egypt)

1. At its 40th meeting, on 5 December 1990, the Fifth Committee considered a note by the Secretary-General (A/45/142) advising the General Assembly of the resignation of an alternate member of the United Nations Staff Pension Committee, requiring the appointment at the forty-fifth session of a person to fill the unexpired portion of the term of office of the member who had resigned, that is, until 31 December 1991.

2. The Fifth Committee also had before it a note by the Secretary-General (A/C.5/45/41) containing the name of a person nominated by his Government for appointment to the United Nations Staff Pension Committee to fill the unexpired portion of the term of office of the member who had resigned.

3. The Fifth Committee decided, by acclamation, to recommend to the General Assembly that it should appoint Mr. Jorge Duhalt (Mexico) as an alternate member of the United Nations Staff Pension Committee for a one-year term of office beginning on 1 January 1991.

RECOMMENDATION OF THE FIFTH COMMITTEE

4. The Fifth Committee recommends that the General Assembly should appoint the following person as an alternate member of the United Nations Staff Pension Committee for a one-year term of office beginning on 1 January 1991:

Mr. Jorge Duhalt.

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NATIONS

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Agenda item 133

FINANCING OF THE UNITED NATIONS OBSERVER GROUP IN CENTRAL AMERICA

Report of the Advisory Committee on Administrative and Budgetary Questions

1. The Advisory Committee on Administrative and Budgetary Questions has considered the report of the Secretary-General on the financing of the United Nations Observer Group in Central America (ONUCA) (A/45/833). During its consideration of the item, representatives of the Secretary-General provided additional information to the Advisory Committee.

2. The observations and recommendations of the Advisory Committee on ONUCA are contained in paragraphs 11 to 14 below. In its consideration of the report, the Committee bore in mind the request of the General Assembly in paragraph 7 of its resolution 44/44 of 7 December 1989 that the Secretary-General should take all necessary action to ensure that the Group is administered with the maximum of efficiency and economy, bearing in mind the relevant observations contained in the report of the Advisory Committee (A/44/246/Add.2). In this connection, the Committee also recalled Security Council resolution 675 (1990) on the renewal of ONUCA, in which the need to continue to monitor expenditures carefully during this period of increasing demands on peace-keeping resources was noted.

3. ONUCA was established by Security Council resolution 644 (1989) of 7 November 1989; its mandate has since been extended, most recently by Security Council resolution 675 (1990) of 5 November 1990, for a further period of six months until 7 May 1991.

4. The Secretary-General states in paragraph 10 of his report that assessments totalling $56,908,988 had been apportioned among Member States in respect of ONUCA for the period from inception to 7 November 1990, of which $51,802,172 had been received as at 30 November 1990, resulting in unpaid assessed contributions of $5,106,816.

5. In response to the appeal for voluntary contributions to ONUCA made by the General Assembly in paragraph 6 of resolution 44/44, the Secretary-General had received contributions in the form of services and supplies provided by one Government amounting to $2,640,000, of which $1,425,000 was included in the cost estimates covering the mandate periods from 7 November 1989 to 7 May 1990 ($674,500), and from 7 May to 7 November 1990 ($750,500). Two other Governments provided services and supplies budgeted for $138,000 in the cost estimates for the period from 7 November 1989 to 7 May 1990, as well as voluntary contributions in kind not budgeted for.

6. In section VI and annex V of his report, the Secretary-General indicates that the revised cost estimate for the period from 7 November 1990 to 7 May 1991 amounts to $19,421,200 gross ($18,829,600 net) with supplementary information thereon in annex VI. In this connection, the Secretary-General notes that the cost estimate for the above-mentioned period takes into consideration a reduction of approximately 40 per cent (from 260 to 158) in the number of military observers beginning 15 December 1990 as proposed by the Secretary-General in his report of 26 October 1990 to the Security Council. 1/

7. In section VII of his report, the Secretary-General indicates that, should the Security Council decide to renew the mandate of ONUCA beyond 7 May 1991, and assuming continuance of its existing responsibilities, the cost would be in the order of $2,730,000 gross ($2,633,000 net) per month from 7 May 1991 onwards. The cost estimate for the six-month period from 7 May to 7 November 1991, as compared with the cost estimate for the period from 7 November 1990 to 7 May 1991, is summarized in annex V of the Secretary-General's report, with supplementary information thereon in annex VI.

8. The Secretary-General states in section VIII of his report that full reimbursement to troop-contributing States in accordance with the standard rates of reimbursement have been made on a current basis to the Governments of those States.

9. The Secretary-General notes in paragraph 19 of his report that, as at 30 November 1990, it is projected that there will be an unencumbered balance of $7,032,900 gross ($6,824,900 net) from the resources provided to ONUCA since its inception, taking into account credits of $10,219,300 gross ($9,989,800 net) given to Member States against their assessments for the mandate period from 7 May to 7 November 1990, in accordance with the recommendations of the Advisory Committee at its Spring 1990 session. The Secretary-General recommends that no action be taken in respect of the projected unencumbered balance at this time, bearing in mind that assessed contributions amounting to $5,106,816 remained unpaid as at 30 November 1990 for the mandate periods ending 7 November 1990 and that no assessments have been made for the current period.

Observations and recommendations of the Advisory Committee

10. Considering that over 90 per cent of the assessed contributions to ONUCA for the period from its inception to 7 November 1990 have been received as at 30 November 1990, as indicated in paragraph 4 above, and that assessments for the

mandate period beginning 7 November 1990 will be made by the General Assembly at its current session, the Advisory Committee sees no reason why the entire unencumbered balance of $7,032,900 gross ($6,824,900 net) should be retained to provide for the non-payment of assessments of $5,106,816 and any subsequent commitments. In the circumstances, the Committee recommends that not more than $5,106,816 of the unencumbered balance be retained to meet the shortfall in assessed contributions and that $1,718,000 be credited to Member States against assessed contributions for the mandate period from 7 November 1990 to 7 May 1991.

11. The Advisory Committee notes that the expenditures of ONUCA have decreased substantially from its inception to the current mandate period and are projected to decrease further, while the civilian staff costs doubled in proportion to the total cost estimate and continue to remain at a high level. In this connection, the Committee was not fully convinced of the need to maintain 17 Professional posts, including 2 D-2, 1 D-1 and 5 P-5 posts in 1990/1991, as proposed in annex VIII of the Secretary-General's report, while the requirements of ONUCA appear to decrease further in 1991. The Committee therefore recommends that the staffing table of ONUCA be kept under constant review, bearing in mind the request of the General Assembly in resolution 44/44 to ensure that the Group is administered with the maximum of efficiency and economy.

12. Subject to its observations and taking into account paragraphs 10 and 11 above, the Committee recommends that the General Assembly approve the estimates of the Secretary-General for ONUCA in the amount of $19,410,200 gross ($18,829,600 net) for the mandate period from 7 November 1990 to 7 May 1991 (para. 6 above).

13. Subject to the decision to be taken by the Security Council on the renewal of ONUCA after 7 May 1991, requirements for ONUCA for the period from 7 May to 7 November 1991 should not exceed $16,380,100 gross ($15,798,100 net). On that basis, the Advisory Committee recommends that the General Assembly approve commitment authority up to the level of $2,730,016 gross ($2,633,016 net) per month for the six-month period beginning 7 May 1991.

14. The Committee further recommends that the Secretary-General should be permitted the usual flexibility to transfer credits between items of expenditure, should that be necessary in the interest of good management and efficiency.

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NATIONS

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Agenda item 18

IMPLEMENTATION OF THE DECLARATION ON THE GRANTING OF INDEPENDENCE TO COLONIAL COUNTRIES AND PEOPLES

Letter dated 14 December 1990 from the Permanent Representative of the Union of Soviet Socialist Republics to the United Nations addressed to the Secretary-General

I have the honour to transmit herewith the text of a letter from Mr. Eduard Shevardnadze, Minister for Foreign Affairs of the Union of Soviet Socialist Republics, on the occasion of the thirtieth anniversary of the adoption by the United Nations of the Declaration on the Granting of Independence to Colonial Countries and Peoples.

I should be grateful if you would have the text of this letter and its annex circulated as an official document of the General Assembly under agenda item 18.

(Signed) Y. M. VORONTSOV

ANNEX

Letter dated 14 December 1990 from the Minister for Foreign Affairs of the Union of Soviet Socialist Republics addressed to the Secretary-General

It is with pleasure that I congratulate you and, through you, the United Nations on a significant anniversary - the thirtieth anniversary of the adoption by the United Nations of the Declaration on the Granting of Independence to Colonial Countries and Peoples.

As one of the basic instruments of the United Nations, the Declaration has played a major role in the attainment of independence by a large number of countries in Africa, Asia and Latin America, and in shaping the present-day community of States. The principles contained in the Declaration are of enduring significance for all mankind and are part of the foundations for a civilized and democratic world order, based on dialogue and the combined interests of national sovereignty and the integrity of mankind today.

World-wide membership in the United Nations has enhanced its peace-making capacities. In turn, the advent of the post-confrontational era in international relations and the transition from rivalry to partnership create unique conditions for the United Nations to function effectively as a stabilizer and regulator of world political affairs and to fulfil its key role in bringing about a new system of law and order in the world.

The Soviet Union is proud that it was one of the States which sponsored the Declaration, and it intends to continue to support United Nations efforts to establish an integral system of global partnership for the end of the current and the beginning of the next decade, based on a balance of interests, political realism and responsible behaviour of States, protection of democracy and human rights, and adherence to a world-wide system of law and order based on the Charter of the United Nations.

(Signed) E. SHEVARDNADZE

UNITED
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GENERAL ASSEMBLY
Forty-fifth session
Agenda items 23, 35 and 75
QUESTION OF PALESTINE
THE SITUATION IN THE MIDDLE EAST
REPORT OF THE SPECIAL COMMITTEE TO
INVESTIGATE ISRAELI PRACTICES
AFFECTING THE HUMAN RIGHTS OF
THE PALESTINIAN PEOPLE AND OTHER
ARABS OF THE OCCUPIED TERRITORIES

SECURITY COUNCIL
Forty-fifth year

Letter dated 14 December 1990 from the Chargé d'affaires a.i. of the Permanent Observer Mission of Palestine to the United Nations addressed to the Secretary-General

I have been instructed by the Executive Committee of the Palestine Liberation Organization, which is invested with the authority and responsibilities of the Provisional Government of Palestine, to transmit to you the statement by the official spokesman of the Palestine Liberation Organization concerning the dangerous situation in occupied Jerusalem, with particular regard to the Haram al-Sharif.

I should be grateful if you would kindly arrange to have this letter and its annex circulated as a document of the General Assembly and of the Security Council.

(Signed) Nasser AL-KIDWA
Chargé d'affaires a.i.
Acting Permanent Observer
for Palestine to the
United Nations

ANNEX

Statement by the official spokesman of the Palestine Liberation Organization

For the past two days Israeli and international news services and media have been reporting Israeli preparations to desecrate the Holy Al-Aqsa Mosque and to perpetrate a further massacre among our Palestinian population in the Holy City of Jerusalem. They state that the so-called "Temple Mount Faithful" intend to visit the Haram al-Sharif on 17 December 1990 and to hold a ceremony there and that the Israeli Government has given its approval to their proposal.

The Palestine Liberation Organization reminds the international community and the Arab and Islamic worlds of the repugnant massacre carried out by the Israeli occupation forces against our people in Jerusalem, as a result of which 31 people were martyred and hundreds injured, on the same pretext as that now being advanced by the Israeli occupiers. On that occasion the Zionist group known as the "Temple Mount Faithful" was endeavouring to lay the foundation-stone of the temple in the Haram al-Sharif. The Palestine Liberation Organization holds the Israeli Government fully responsible for this fresh act of provocation and aggression, for which preparations are this time being made overtly and in public, and calls upon the world as a whole to assume its responsibility vis-à-vis this organized official escalation of Israeli terrorism against our Palestinian people.

The Palestine Liberation Organization affirms that the Israeli Government would not be embarking on preparations for this latest bloodthirsty plan if it had encountered official international deterrence, in the context of the Security Council, at the time of the first Jerusalem massacre. The fact that it was not so deterred was a result of the American Administration's defence of the Zionist occupation and of Israeli crimes and acts of aggression against our Holy Places and our Palestinian people in the occupied Palestinian territory.

The Palestine Liberation Organization calls upon the Security Council, and particularly its five permanent members, as well as the Secretary-General of the United Nations and the Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People to take a firm stand against this latest bloodthirsty plan.

The Palestine Liberation Organization affirms that the Palestinian people will resist this further brutal act of aggression in order to prevent the criminals from desecrating the Haram al-Sharif, which is the first of the two kiblahs and the third of the Holy Places.

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NATIONS

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Agenda item 154

ELECTORAL ASSISTANCE TO HAITI

Note by the Secretary-General

1. The attached document, which is submitted in pursuance of paragraph 3 of General Assembly resolution 45/2 of 10 October 1990, contains the first report of the United Nations Observer Group for the Verification of the Elections in Haiti (ONUVEH).

2. The report, which is preceded by a summary of its contents, describes the Haitian authorities' request for United Nations assistance, the context in which the electoral process is taking place, the evolution of the electoral process up to 14 December 1990 (two days before the first round of the elections), and the installation and activities of ONUVEH, including co-ordination with other observer missions. The final section contains the conclusions of my Personal Representative, Mr. João Augusto de Medicis.

3. The report is circulated for the information of the General Assembly. It will be followed by a further report after the first round of the elections.

ANNEX

First report of the United Nations Observer Group for the Verification of the Elections in Haiti

Summary

1. Pursuant to the request of the Government of Mrs. Ertha Pascal-Trouillot, the Provisional President of the Republic of Haiti, and following lengthy discussions aimed at bringing the terms of the request into sharper focus, the United Nations General Assembly adopted, on 10 October 1990, resolution 45/2 authorizing the provision of electoral assistance to Haiti and establishing the United Nations Observer Group for the Verification of the Elections in Haiti (ONUVEH), under the direction of Mr. João de Medicis, the Personal Representative of the United Nations Secretary-General. Mr. H. Boneo is chief of electoral operations and General G. Zuliani chief of security observers.

2. Assistance for the electoral process in Haiti is an innovation but is amply justified by a situation that is the result of 30 years of dictatorship and several years of political turbulence and by the serious economic and social consequences thereof. The function of ONUVEH, which is made up of electoral observers and security observers, is to observe the various electoral processes, to ascertain that they are free and democratic, and to report thereon to the General Assembly. The security observers must, in particular, ensure the effective implementation of the electoral security plan throughout the country. In working out this plan, the Co-ordinating Committee for the Security of Electoral Activities (CCSAE) received assistance from two security experts. It should also be emphasized that since May 1990 technical assistance has been provided to the Interim Electoral Council (CEP) in the form of permanent and temporary consultants (project HAI/90/007).

3. Since its arrival in the country, ONUVEH, which has its headquarters at Port-au-Prince and is staffed by international civil servants of some forty different nationalities, has set up a regional office in each of the capitals of Haiti's departments. Each office is managed by a regional co-ordinator and maintains a watchful ONUVEH presence in the regions, while the security component of the office closely monitors the operations of the Haitian forces responsible for maintaining law and order.

4. The Haitian body responsible for organizing the elections is the Interim Electoral Council, which has, since its inception, had to draft a new electoral law, rebuild the apparatus for administering elections, which was virtually non-existent, and train civil servants who have no experience in such matters, all this in difficult social and financial conditions. Nearly four fifths of the population is illiterate and lives in conditions of extreme poverty. Roads that are barely passable and tenuous communications networks are the main features of the social and material context in which the elections are to take place.

5. Moreover, the political context is complex as well. Besides the absence of democratic traditions,there is an institutional crisis that has weakened traditional authority.

6. After being postponed several times, the balloting has finally had to be put off until 16 December. The voter registration drive began on 5 October and the election campaign commenced officially on 7 November. In all, 11 candidates are standing for election to the presidency, 131 for the Senate and 382 for the Chamber of Deputies.

7. As to the voters, more than 3.2 million individuals have registered to vote. This figure, which exceeds the initial estimates, is undoubtedly indicative of an important awakening among voters and represents a major achievement. But it may also be the result of shortcomings of the statistical and administrative systems and certain irregularities. These irregularities cannot be ascribed to any particular political party and are, in any event, difficult to eliminate completely in the absence of a permanent register of voters or a reliable register of vital statistics. Furthermore, as long as duplicate voter registration does not result in double voting, the irregularities in question should not affect the credibility of the elections. Measures have been taken by the CEP to prevent voters from casting more than one ballot.

8. More delicate is the problem of the registration and approval of candidacies. The administrative complexities introduced by the CEP have resulted in the disqualification of nearly 30 per cent of those wishing to stand for election to the Chamber of Deputies and the Senate and more than half the candidates for the office of President. Careful analysis of the grounds for disqualification shows that the CEP tended to apply the letter of the law in its decisions. Although in every case disqualification was based on a specific reason, owing to a lack of planning it was impossible for individuals whose candidacies were not approved to correct any omissions in their files. In at least one case, that of former President Leslie Manigat, the decision taken by the CEP gave rise to legal complications which have yet to be resolved and to considerable reaction around the world.

9. On the whole, the election campaign has proceeded in conditions of calm, despite a few isolated incidents which have not had any major consequences. The deadly attack on 5 December has darkened the prevailing mood but so far it has been an isolated incident and has not hampered the electoral process. It should once again be stressed that political parties of every stripe have been able to field candidates and to campaign freely. The ONUVEH mission, which is responsible also for maintaining contacts with the CEP concerning any complaints of intimidation of candidates or voters, has not observed any serious incidents which would warrant mention here.

10. As part of its operations relating to the verification of the electoral process, ONUVEH is planning the itineraries for the observers already in the field and for those who will be joining them, so that as many voter registration and polling stations (BIVs) as possible can be visited on election day. In the evening when the ballots are being counted, the observers will be present at pre-selected

BIVs and will oversee the count and the transfer of the ballot-papers to the communal boards of elections (BECs). They will also be present at the counting centres of the departmental boards of elections (BEDs) and at the computing centre set up by the CEP in Port-au-Prince.

11. In co-ordination with the mission of the Organization of American States (OAS), ONUVEH will make a projection of the outcome of the presidential election on the basis of a representative sample. These results will be solely for the use of ONUVEH and OAS, but may be used as a basis of comparison with the official results.

12. Through the combined efforts of the CCSAE advisers and the teams of security observers in the departments, a national electoral security plan has been developed at last. What remains to be done is to see to it that the plan is properly publicized and enforced on election day.

13. The ONUVEH presence, though brief, has helped to create a climate of confidence in the elections, a climate which was not affected by the attack on 5 December to the extent of seriously hampering the electoral process. In addition, in its everyday working relations, the ONUVEH mission has endeavoured to foster dialogue between the main players in the political and institutional process in Haiti. The future, like the present, is in the hands of the Haitian people. Through its presence and activities, the international community has had the opportunity to demonstrate its solidarity in these difficult moments.

I. THE REQUEST BY HAITI AND THE UNITED NATIONS RESPONSE

A. The first request and the initial response

1. Shortly before his downfall, President Avril had requested the United Nations to supervise the elections which he intended to hold. In view of the conditions in which those elections would have taken place, the United Nations was unable to accede to his request. Since taking office, on 13 March 1990, Mrs. Pascal-Trouillot, the Provisional President of the Republic of Haiti, summoned the Resident Representative of the United Nations Development Programme (UNDP) in Port-au-Prince to ask him to convey to the United Nations Secretary-General a new request for electoral assistance.

2. On the basis of this formal request, a programme of technical assistance financed by UNDP was immediately set in motion, and a first mission headed by Mr. Horacio Boneo arrived in Port-au-Prince on 22 March. At the end of a two-week stay the mission submitted a report which contained a number of technical suggestions, such as the holding of elections simultaneously at all levels and the printing of single ballot-papers. The mission further recommended the establishment of a permanent technical assistance mission attached to the fourth Interim Electoral Council, which was set up in May. The technical mission was deployed on 15 June 1990 and, under project HAI/90/007, will continue its activities until the end of the current electoral process. The objective of the mission is to help organize, conduct and establish a credible and honest process through technical and professional advice, practical training measures and the exchange of experience with other developing countries.

B. Haiti's request concerning observation of the electoral process and discussion of the request at the United Nations

3. Haiti's request was not limited, however, to technical assistance. It appeared to include observation of the electoral process as well, although the precise nature of the observation was not specified in the original request.

4. In order to obtain clarification of the Haitian authorities' wishes and the formulation of those wishes in a formal request, the Secretary-General decided to appoint a personal representative. He chose for this assignment Mr. João Augusto de Medicis, whose appointment became effective on 19 June 1990.

5. Mr. de Medicis immediately set out for Haiti and returned with a letter from Mrs. Pascal-Trouillot dated 23 June 1990, endorsed by "all sectors responsible for holding free, fair and credible elections - the Council of State, a body specifically set up for the transition to democracy, the Interim Electoral Council, an independent body responsible for the electoral process, and the Haitian Armed Forces, which are responsible for security".

6. The letter related to "on the one hand, the observation and verification of the regularity of the electoral process and, on the other hand, public security". On the subject of security, the letter envisaged the assistance of "advisers with experience in security matters" who would help the CCSAE of the Haitian Armed Forces in developing and implementing electoral security plans and "observation by special United Nations staff of the implementation of such security plans throughout the country".

7. In letters dated 9 August and 14 September 1990 (circulated as documents A/44/973 and Corr.1, annex, and A/44/979, annex, respectively), the President of the Provisional Government further clarified the request to the Secretary-General contained in her letter of 23 June 1990. After extensive consultations amongst the Member States, the General Assembly, on 10 October 1990, adopted by consensus resolution 45/2 on electoral assistance to Haiti.

8. In that resolution, the General Assembly, taking note of Haiti's request, reaffirming the sovereignty of the Haitian people and aware of the latter's efforts to consolidate their democratic institutions in the face of the potential for destabilization, requested the Secretary-General, in co-operation with regional organizations and Member States, to provide the broadest possible support to the Government of Haiti in meeting, to the extent possible, the following requests: a nucleus of some 50 observers for the entire duration of the electoral process; reinforcement of the nucleus during voter registration and at the time of the elections themselves, bringing the total to a few hundred observers; assistance to the Co-ordinating Committee for the security of the elections, to be provided by two or three advisers; and observation of the implementation of the electoral security plans by specialized staff with solid experience in the public order field. The General Assembly further called upon the international community and relevant international organizations to increase their technical, economic and financial co-operation with Haiti.

C. The mandate of the United Nations Observer Group for the Verification of the Elections in Haiti

9. The assignment which ONUVEH has been given is to observe the electoral process in Haiti and to ascertain that it is conducted in a fair manner and in a climate of security and freedom. The operation therefore relates principally to the elections, with the security component being secondary to the electoral verification component.

10. The task of the electoral observers is to observe the different electoral operations and to assess, in particular, whether the political parties have been free to organize and allowed to mobilize the voters, whether the candidates have had equal access to the media, whether voters have been able to register and cast their ballots freely and whether the votes have been counted honestly. In discharging these duties the permanent observers will be joined at the time of the elections by temporary observers from the United Nations Secretariat, the States Members of the United Nations and the United Nations system and from NGOs working in Haiti.

11. The security component comprises, in addition to the two advisers assigned to the CCSAE, security observers whose role is to see to it that the security plans are effectively implemented throughout the country. They must therefore establish contacts with the Haitian military, which has exclusive responsibility for ensuring the country's security, point out any shortcomings that they may find or that may be brought to their attention, and make an overall assessment of the safeguards provided for the inhabitants who wish to vote.

II. DEVELOPMENT OF THE ELECTORAL PROCESS IN HAITI

A. The fourth Interim Electoral Council and the preparation of new electoral legislation

12. The institutional arrangement which underpins the current provisional Government is the product of a consensus between political parties and social organizations, which has subsequently proved to be rather shaky. This ad hoc arrangement introduced several innovations in the structure of the Government. In particular, it established a Council of State, a body made up of representatives of the various social sectors and the departments of the Republic. However, as regards the electoral institutions, it has not made any changes in the provisions of the 1987 Constitution governing the composition of a permanent electoral council and an interim electoral council. In the absence of a parliament, it was clear that the electoral council could only be of an interim nature. Nevertheless, this point was the subject of lively discussion before a consensus of sorts emerged concerning the council's interim character. The question then arose as to whether the third CEP, set up by the Government of General Avril retained its legal status and, more important, its legitimacy, or whether it should be replaced. The Government therefore began by asking the social organizations to state their position on this issue, and to indicate whether they intended to keep the same representatives or to change them. These discussions delayed the start of the process, with the result that the fourth CEP was appointed only in May, after the

nine social organizations named their representatives. It should be stressed in this connection that the composition of the interim electoral council, as provided for in the 1987 Constitution, is virtually unheard of in other countries, where the supreme electoral authority is usually made up of representatives of political parties or experts in electoral affairs. In Haiti, the CEP is neither a political body nor a technical body, and its members, who are designated by such institutions as the Church, the University and the Journalists' Union, do not have to possess any electoral experience. In actual fact, however, some members of the fourth CEP were, as it turns out, participants in the first CEP, which organized the abortive elections of 1987, and its President, Mr. Jean-Robert Sabalat, was at the time President of the Ouest BED (Port-au-Prince). Given the difficulties and obstacles of all kinds with which the first CEP had to contend and the tenacity which it demonstrated at the time, the presence in the fourth CEP of individuals who were members of the first CEP has been an important asset for the credibility of this electoral institution in the eyes of the people. On the other hand, it has attracted the hostility of certain political milieux associated with the former order which might well be suspected of disapproving of the strong commitment of the CEP to the electoral process.

13. The second step in the conduct of the electoral process was the preparation of an electoral act. Under the Constitution, the CEP is required to prepare the draft legislation for submission to the Government, which in turn approves and promulgates the act. The preparation of the bill was therefore the first task tackled by the Council. The drafting took time and it was necessary to wait until 10 July for the bill to be published in Le Moniteur (the official gazette) and thereby to enter into force so that the electoral process could get under way officially.

B. The electoral system established under the new law

14. A rapid comparison of the new Act with earlier ones shows that the new Act is closer to the 1987 Act than to that prepared by the third CEP in connection with the elections called by General Avril. Whereas General Avril had wanted to begin with local elections (administrative councils of the communal sections (CASECs) and municipal councils), the 1990 Act provides for the holding of elections at all levels simultaneously (President of the Republic, Senate, Chamber of Deputies, municipal councils and CASECs). This Act also incorporates a 1987 provision whereby the CEP has sole responsibility for printing and distributing ballots, which is unlike the earlier Haitian tradition of entrusting that responsibility to the candidates.

15. The main difference between the new Act and the Act promulgated under General Avril is that the new Act restores article 291 of the Constitution, which was eliminated in 1949. This article, which has been and continues to be the subject of bitter controversy, will be mentioned again later (see paras. 19, 20 and 72-74). 1/ Here, suffice it to say that, in this respect, the new Act is similar to the 1987 Act, and that the 1987 Act was promulgated shortly after a referendum which expressed considerable popular support for the Constitution.

16. Noteworthy also are the innovations which the Act introduces into the electoral process:

(a) The voter's obligation to vote at the BIV at which he is registered. This arrangement, which is more convenient for the voter, also makes it easier for the electoral bodies to monitor all the electoral operations;

(b) The introduction of a single ballot-paper for each elective office;

(c) The payment of a deposit in order to stand for elective office. The amount is fixed and relatively small for candidates for the CASECs and municipal councils. For other offices, it varies according to the proportionate number of candidates put forward by a party in each district.

C. The reactions of the political parties to the Electoral Act

17. The electoral bill was made public on Friday, 29 June, at a press conference given by the members of the CEP, who described the main features of the bill and sought the opinion of the political parties.

18. Up till that time, the debate had focused mainly on the timeliness of elections. After the press conference and following the formal promulgation of the Act, on 10 July, the political parties concentrated their attention on the Electoral Act, even at a time when they had misgivings about the holding of the elections. The first reactions came from the press, and they were echoed by the political parties. A distinction must be made between reactions to the Act itself and its individual provisions, and reactions issuing mainly from circles close to the Duvalierists, who had challenged the CEP and the legality of its status and whose questioning of the Act was but a natural consequence.

19. The most hotly contested provisions of the Electoral Act were the reintroduction of article 291 of the Constitution and the obligation to pay a deposit.

20. Some considered article 291 discriminatory and contrary to the Charter of OAS. Others challenged its interpretation by the CEP. Still others called for its permanent deletion.

21. Moreover, almost all the parties criticized either the principle of requiring candidates to pay a deposit or the amount of such deposit. The Electoral Act was branded a law for millionaires and Jean-Claude Roy's Union des constitutionalistes haïtiens (UCH) was not alone in denouncing the "logic of money" used by the CEP to reduce the number of candidates.

22. Following some criticism regarding the impunity of the members of the CEP, which had been levelled by Le Nouvelliste and which was echoed by the political parties, especially the MDN, the CEP introduced into the Act, prior to its official publication, an article imposing sanctions on its members for violation of the Electoral Act.

23. Lastly, it should be noted that some parties, including the MDN, believed that too much power was vested in the CEP, whose decisions in election matters are final.

24. Other aspects of the Act, however, were deemed positive. Overall, there can be said to be a relatively broad consensus on this Act. Moreover, it will be seen below that the very persons who challenged the Act and attacked the CEP which authored it agreed to submit or appear to submit to the procedures laid down by it.

III. THE CONTEXT OF THE ELECTORAL PROCESS

A. The physical and social environment of the electoral process

25. Haiti is an Indian word meaning "land of mountains". Nearly three fourths of the country's surface area is covered by mountains, which rise to 2,700 metres. Apart from the two major roads which run from Port-au-Prince to Les Cayes in the south and Cap-Haïtien in the north, the secondary roads are very poor or non-existent. It takes nearly seven hours to go from Port-au-Prince to Hinche, a journey of approximately 180 kilometres, which involves fording three rivers, and nearly six hours to reach Port-de-Paix. Many villages are accessible only by mule or on foot. The telephone communications network is limited to the nation's capital and the departmental capitals, some of which, such as Port-de-Paix, Hinche and Jérémie, have only one telephone line.

26. Besides the physical remoteness of the population, the country's economic and social difficulties must be taken into account. Approximately 80 per cent of Haitians earn less than $100 annually and therefore live far below the critical poverty level of $150 per year. Moreover, 78 per cent of them are illiterate.

27. This gives an idea of the physical and social obstacles to be overcome in order to be able to organize elections in Haiti in which the entire population can participate.

B. The absence of democratic traditions in Haiti

28. What is more, there is no democratic tradition in Haitian politics. Although Haiti was the second country in the Americas to gain its independence, it has never managed to establish stable democratic institutions. For a long time, the right to vote was limited to city-dwellers, and when the President was elected, it was generally by Parliament. Not until 1950 did the first presidential election by universal suffrage take place, and that election was tainted by fraud.

29. Because of the lack of consensus on rules by which the political system could function, and even on the definition of legitimate political participants, violence has always been the means of settling conflicts and choosing leaders.

30. These political traditions became institutionalized in 1957, when François Duvalier took office as President of the Republic, and even more so in 1964, when he was elected President for life by plebiscite. The office of President for Life became hereditary when he took care, before his death on

21 April 1971, to bequeath the power to his 19-year-old son, Jean-Claude Duvalier, who retained it until 1986. To most observers, the fall of the Duvalier Government did not necessarily spell the end of Duvalierism. They maintain that the Government under General Namphy did not introduce major changes in either the structure of political power or the bases of economic power or public administration.

31. Since the fall of the Government of Jean-Claude Duvalier, Haiti has had a succession of Governments, each of them the product of either a coup d'état or an election whose validity appears questionable.

32. The sole exception might have been the 1987 election, which was interrupted by violence. Several months earlier a constitution had been drafted; it was ratified by referendum on 29 March, in which participation was considered to be very high. That is perhaps the most concrete democratic experience in the nation's contemporary political history. After this vote, a interim electoral council was appointed and elections were set for 29 November of that same year. That Council drafted an electoral bill, working not only without the support of the incumbent Government but even in conflict with it. Despite the obstacles, the process continued until the day of the elections, when the CEP had to interrupt it following a number of incidents, particularly the Ruelle Vaillant massacre. That same day, the Government dissolved the CEP, accusing it of being responsible for the massacre of the voters.

33. A second CEP was then appointed; it presided over January 1988 elections, which were termed fraudulent. The voting system at that time required the ballot-papers to be distributed by the candidates themselves. In practice, this operation could only be carried out by the army, which took charge of organizing the elections. Leslie Manigat was elected with minimal popular participation (5 per cent is the figure mentioned) and in the absence of other candidates enjoying genuine credibility. In June of that same year, President Manigat was, in turn, ousted by a coup d'état, and General Namphy came to power for the second time since the fall of Duvalier.

34. In September 1988, another coup d'état replaced General Namphy by General Avril. A third CEP was then appointed, which prepared for new elections. This third CEP drafted an electoral bill which contained changes from the previous legislation in some important respects. It was becoming increasingly obvious, however, that the President had no intention of holding free elections. Popular reaction and demonstrations proliferated with the help of political parties and groups. This was especially true in the case of the Consultative Assembly, which brought together Haiti's 12 major political parties and groups. The upsurge of popular protest, pressure by political groups and certain deprived sectors, and growing international isolation finally brought about the departure of General Avril in his place, a Provisional Government was appointed on 13 March, headed by a judge from the Court of Cassation, Mrs. Ertha Pascal-Trovillot.

35. This Government was to be officially assisted by a Council of State, composed of 19 members representing various sectors of the civilian society, which functioned, in some sense, as a link between the Government and the Consultative Assembly.

36. This arrangement, which does not strictly conform to the constitutional provisions, was the product of an agreement between the various political participants in order to find a solution, based on the widest possible consensus, to the institutional crisis triggered by the fall of General Prosper Avril. The Consultative Assembly, composed at that time of 11 political parties plus the group called "Oné Respé Konstitisyon an", also known as the Group of Twelve, 1/ played an essential role in developing the current governmental arrangement on the basis of the Protocol of Understanding of 4 March.

37. Although this arrangement was based on a relatively precarious consensus which began to crumble almost immediately after the Provisional Government was installed, it is important to note that it reopened the way to free elections. Despite the remaining difficulties, there was a possibility, from that time on, that the process could be brought to completion and that the country would finally have a stable Government and institutions could be consolidated.

C. Freedom of expression

38. If recent years precluded the introduction of democracy in Haiti, they did witness, on the other hand, spectacular progress with respect to freedom of expression, which, today, is virtually absolute. Not only can the Duvalierist media, such as "Le petit samedi soir" or "Radio liberté", engage in the most violent diatribes without concern, but also, at the other end of the political spectrum, appeals can be made for the overthrow of the incumbent Government without risk of reprisals. One may even wonder if this freedom is not abused in certain cases, as incitement to violence is never punished.

39. This freedom is, in any case, guaranteed in Haiti by the existence of many private radio and television stations, which considerably reduce the influence of the public media. Unlike the situation in other countries, national television and radio in Haiti have a limited audience only. None the less, they make a great effort to provide balanced information.

D. The atmosphere of insecurity and the impunity of criminals

40. Recent years have also been marked by frequent outbreaks of political violence, of which we shall here mention only the most important or well-known. At the end of July 1987, 150 peasants belonging to a Church-associated co-operative, Tét Ansanm, were massacred near Jean-Rabel. During the electoral campaign, two political figures were assassinated: Louis-Eugène Athis, leader of the Mouvement démocratique pour la libération d'Haïti, on 2 August, and Yves Volel, a presidential candidate, on 13 October. November saw the beginning of a campaign of terror (arson, murder attempts, etc.) which culminated, on the day of the elections, with the Ruelle Vaillant massacre at Port-au-Prince (about 20 killed) and vicious attacks throughout the country, particularly in the Artibonite (60 dead and 200 injured).

41. In 1988, the Labadie massacre occurred on 14 August and the attack on Saint-Jean Bosco Church took place on 11 September, while Father Jean-Bertrand Aristide was celebrating mass.

42. In 1990, incidents have included the massacres at Pyat on 19 March (11 dead and 338 houses burnt down), Cabaret on 19 April (1 dead, 2 seriously injured and 35 houses burnt down) and Perodin on 31 May (6 dead, including the section chief, killed by a crowd of 300) and, of course, the attack on the Council of State on 21 June which left two dead, including a member of the Council, Serge Villard.

43. These crimes have created a feeling of insecurity, which is all the more acute because those responsible have not been sought out or arrested. No serious inquiry appears to have been conducted and it was only recently that Mrs. Pascal-Trouillot announced the establishment of a commission to determine responsibility for major crimes committed since 1986. It should also be noted that the members of this commission have not yet been appointed and that they will not submit their report until after the elections. Likewise, the individuals covered by article 291 of the Constitution, that is to say the most violent or corrupt elements of the Duvalierist régime, have generally not been arrested or tried. It is as if the only penalty for their crimes has been to exclude them from any elective office for a period of 10 years, with the Electoral Council being obliged to take the place of the courts. The de facto impunity of those who committed crimes before and after 1986 has been denounced by many political groups, which have tried in vain to ensure that justice is done before the elections are held.

44. However, some measures have been taken either by the army or by the Government with a view to reducing insecurity. A Co-ordinating Committee for the Security of Electoral Activities (CCSAE) has been set up within the Haitian Armed Forces and a civilian-military commission, consisting of the Ministers of Defence, the Interior and Justice, the Commander-in-Chief of the Armed Forces and two generals, has been established by Mrs. Pascal-Trouillot. In addition, the CEP and the chairmen of the BEDs have on several occasions held meetings with the CCSAE and the departmental commanders. These contacts have been productive and suggest that most officers genuinely want to ensure the country's security during the electoral period.

IV. THE CONDUCT OF THE ELECTORAL PROCESS

A. The organization and inauguration of the electoral authority

45. The Government of Mrs. Ertha Pascal-Trouillot originally intended to hold elections at the earliest opportunity and estimated that the electoral process could be organized in a period of between three and six months, with the elections themselves being held by August at the latest. However, it quickly realized that these plans were too optimistic in view of the plethora of organizational, logistic and financial problems which had to be addressed.

46. The first difficulty needing to be settled by the CEP, which - as noted above - could not be set up before May, was that of establishing a new organizational structure because its predecessor, the third CEP, had made only modest progress in this area. The fourth CEP therefore had to find an appropriate

headquarters, to recruit and appoint its permanent staff and to acquire the necessary materials. Since Haitians still retained painful memories of the 1987 events, it was not easy to find people who were prepared to take the risk of working for the CEP. In 1987, the first CEP, which had had to organize elections without any support at all from the Government, had made use of a large number of volunteers. After the experiences of those volunteers in 1987, there was no question of again obtaining assistance from that quarter, with the result that paid staff had to be hired, both for the CEP and for the departmental and communal boards of elections. Since the Electoral Act, which provided for complex negotiations with the political parties and social groups concerned, was not published in the Official Gazette until 10 July 1990, the composition of the BEDs and the BECs was not finally made known until around mid-August.

47. It was not long before a second problem, caused by the administrative and logistic complexity of the electoral process, made itself felt. In order to begin voter registration, it was necessary to select staff and assign them to several thousand BIVs, to print a sufficient number of registration forms, to conduct an appropriate civic information campaign and to train staff for the BIVs. Once the registration period was over, sufficient time had to be allowed to computerize the registers, to "skim off" any duplicate entries and to reproduce the electoral rolls for each BIV. In addition, the political parties and groups had to be allowed sufficient time to comply with the procedures for the declaration and registration of candidacies before drawing up final lists of candidates. Only when these lists were made available was it possible to embark on another necessarily long task, that of printing the ballot-papers and distributing them to the BIVs.

18. The third problem facing the CEP was of a financial nature. Although the Government was willing to fund the electoral process, it could not, as a result of the country's economic crisis, assume all the necessary costs. The CEP therefore had to seek additional funds from sources of multilateral and bilateral assistance.

49. As a result of these difficulties, several changes had to be made to the election schedule. It had originally been decided that registration would take place during the period from 19 August to 9 September and that the first round would be held on 4 November. However, it quickly became clear that those dates could not be maintained. It was then decided to postpone registration only two days before such registration had been due to begin. The current schedule was arranged as follows: voter registration from 5 to 26 October; registration of candidacies from 6 to 21 October; deadline for approval of candidacies by the CEP - 6 November; first round of voting - 16 December.

B. The financial aspects of the electoral process

50. The total budget is estimated at 19,293,984 gourdes or $US 12,862,656.

51. The technical assistance mission to advise the CEP has been given the responsibility of co-ordinating external financial contributions. Under its auspices, a general meeting to co-ordinate international assistance was held on 17 October 1990, with the Ambassadors of the United States, Canada, Germany,

Venezuela and Italy, as well as the representative of Taiwan, Province of China, taking part. The United States had already opted for the multilateral approach through the United Nations and made a contribution of $1.5 million, to which an additional contribution of 2,250,000 gourdes was added on 23 October. Canada provided direct assistance in the form of voting materials, such as paper, ballot-boxes, polling booths, seals, plastic bags, stickers and envelopes. Venezuela chose to provide direct assistance from the Venezuelan Electoral Council to the Interim Electoral Council. On 26 October, France announced assistance amounting to 11 million francs to cover the printing of ballot-papers and the civic education campaign. Germany's contribution amounted to 1 million deutsche mark, to cover part of the printing costs. The Haitian Government, for its part, assumed responsibility for much of the operational cost of CEP and for the staff costs of the BEDs, the BECs and the BIVs.

52. The CEP also received UNDP-funded technical assistance. The total contribution of the United Nations amounts to $392,400.

C. Inclusion in the electoral rolls

53. There is no permanent register of voters in Haiti and as a result new rolls must be compiled for each election. There is likewise no register of vital statistics that could be used in compiling electoral rolls or in checking the information provided by individuals wishing to register to vote. What is more, the documents accepted for registration (birth certificates and baptismal records) are not uniform and do not always provide a means of establishing the identity of the individual who is seeking to register. Moreover, many Haitians possess no identity papers at all.

54. The Council had the choice of several options for the compiling of electoral rolls. In keeping with past practice, it could have concentrated registration operations in a small number of offices not necessarily corresponding to the polling stations. Instead, it preferred to set up a great many stations empowered to conduct both registration activities and polling. Despite the difficulties and the high administrative costs involved, this arrangement had one major advantage: it facilitated voter registration and polling, which was a considerable benefit considering the high proportion of illiterate voters. The CEP also decided that the BIVs would remain open for 22 consecutive days, including weekends.

55. If every BIV had employed three civil servants as authorized by law, between 36,000 and 43,000 individuals would have been needed. Since only limited funds were available, a compromise was chosen, which involved setting up fewer voter registration stations, each with a staff of four, and making them responsible for compiling several electoral registers. For the purposes of the elections, however, there would be one BIV for each register and the persons who handled the voter registration activities would be the chairmen or secretaries of the new BIVs, which, as far as possible, would be set up in the same place. This procedure helped to reduce substantially the number of persons employed for the registration process. With regard to the pay of these employees, it should be noted that instead of paying them on the basis of the amount of time worked, it was decided to pay a set amount (1,100 gourdes) for each register of 250 voters actually filled in.

56. Registration proceeded slowly. Only after the announcement of the presidential candidates did the number of voters registering rise substantially, passing the 3.2 million mark. This result was achieved despite the fact that by the end of the registration period 2/ some citizens had not been registered owing to a lack of rolls.

57. The table below presents the final voter registration situation by department and estimates of the number of persons of voting age, which have been provided as a point of comparison.

Department	Registered voters	Voting-age population (estimate) a/	Percentage of individuals of voting age who are registered
Grande-Anse	282 987	287 988	98.2
Ouest	1 115 132	1 057 681	105.4
Sud-Est	216 099	210 388	102.7
Nord	358 834	338 859	105.9
Nord-Est	120 115	110 159	109.0
Artibonite	481 036	445 275	108.0
Centre	241 824	221 016	109.4
Sud	307 436	293 813	104.6
Nord-Ouest	147 782	182 062	81.2
Total	3 271 155	3 147 241	103.9

a/ Haitian Institute of Statistics and Data Processing, Port-au-Prince, June 1989.

58. It is obvious that the number of persons registered at the national or departmental levels exceeds the number of people of voting age. There are at least two reasons for this, apart from the possibility of fraudulent manipulation for political ends. The first is that the figures used in calculating the voting population were greatly underestimated. The last population census dates back to 1982, and the social and political events that have taken place since then have considerably altered the base-line figures. The second explanation probably has to do with the fact that the CEP decided to pay the civil servants in charge of registration, not on the basis of work done, but on the basis of the number of persons registered, which may have helped to inflate the number of registered voters.

59. Throughout the registration period, and particularly during the final days before the rolls were closed, a number of accusations were made of instances of double registration, the sale of voter registration cards by staff of the voter registration and polling stations and other similar activities. In cases that were actually verified, such as those in Nord-Ouest Department, the CEP took appropriate measures and announced the arrest of several culprits. On the whole, it cannot be said that massive double registration involving thousands of cases took place. Likewise, the incidents uncovered and alleged have not been attributed with any certainty to a specific party or group taking part in the elections.

60. In any event, the Haitian political scene has several features which make such fraudulent activities difficult, costly and relatively unrewarding for those who carry them out.

61. Fraudulent operations are difficult because they require an organizational structure and a number of dedicated and active militants, which most political parties or groups lack. Having been formed only recently, these parties and groups exist and operate essentially in the capital and are unable to organize or mobilize in the same way as a dominant party with power under its control.

62. They are costly because double registration works only with large amounts of funds. Furthermore, double registration must be accompanied by double voting, entailing the mobilization of considerable technical resources (transport, for example) beyond the reach of the average budget.

63. Finally, such operations are not necessarily rewarding for those who carry them out. In view of the proliferation of parties and candidates and the absence of political or military control over the electorate, which control would in any event be greatly diminished by the presence of international observers, the casting of secret ballots offers absolutely no guarantee that the outcome will be the one expected.

64. This does not mean that efforts to eliminate double registration are unnecessary, but spotting it is not easy. It may be possible to uncover double registration when data are compiled in a computing centre, assuming that the individual in question has used the same first and last name. As homonyms are common, further checking would be required in dubious cases, and there would not be enough time for this. Home visits could also be made on the basis of a random sample taken from the rolls, assuming that those registered had given their real

addresses. However, such verification at best reveals that certain persons registered do not exist or that the name of a deceased individual has been used, but not that double registration has taken place. In other words, while the methods of checking described above may be necessary and appropriate, their impact will be more psychological than real.

65. In any event, the true cause of these irregularities is not the electoral authorities but the civil registration and personal identification systems. Only after a freely elected Government has been installed can these systems be modernized and permanent electoral rolls be established. This is an indispensable means of consolidating democracy in its early stages and avoiding the substantial costs involved in preparing new rolls for each election.

66. Yet the possible existence of double registration and the genuine impossibility of eliminating it from the electoral rolls do not necessarily imply that the elections will not be honest or credible. To the extent that double voting can be prevented, double registration in itself will cease to have any practical impact. Where efforts should now be focused is on the prevention of double voting.

D. Registration and approval of candidacies

67. The procedure by which interested individuals become candidates in the various elections is highly complex. The Electoral Act in fact stipulates that candidates' applications must include a number of administrative documents, such as a birth certificate, a certificate of domicile and proof from a bank of the existence of an electoral or party checking account and payment of a non-refundable deposit. In addition, the candidate's party must be recognized by the Ministry of Justice, and each candidate must submit a statement releasing him from responsibility if he has been an accountant of public funds. Finally, a new step has been introduced with a view to rationalizing the electoral process: presidential candidates must put forward a social platform.

68. At the end of the registration period, 26 persons had registered as candidates for the presidential election, 155 for the elections to the Senate and 473 for the elections to the Chamber of Deputies. Of those candidates, the CEP accepted 11, 131 and 382 candidates, respectively. The percentage of rejected candidates was therefore high: 57.7 per cent for the presidential elections, 15.5 per cent for the elections to the Senate and 19.3 per cent for the elections to the Chamber of Deputies.

69. The high rate of rejection can be explained mainly by the absence of long-standing political parties, which gives rise to a proliferation of parties and candidates with little credibility, and by the need to meet strict administrative and political requirements regarding the acceptability of candidates.

70. Soon after the departure of Jean-Claude Duvalier, about 40 political parties were established. Many of them do not have national roots or a well-developed structure. That explains the numerous cases of rejections of candidates on such grounds as "lack of bank accreditation", "party not recognized" and "no deposit".

71. Note should also be taken of the difficulties arising from the electoral regulations themselves which, although not a determining factor, help explain the high percentage of rejected candidates. Indeed, the period initially determined for the submission of candidacies was extremely short: from 6 to 21 October. This can be explained by the provisions of the Electoral Act which required candidates to register first as electors, something they were unable to do before 5 October. 3/ It was subsequently necessary to respect the legal time-frame for contesting the candidacies and then a time-frame of several weeks after the publication of the final list of candidates for the printing of ballots. Gradually, the CEP has had to readjust its requirements and has therefore used some of its reserve time, making it impossible for candidates rejected on the grounds of inadequate administrative documents to complete their files.

72. It should, however, be noted that in the debate on the rejection of candidates, no mention was made of these technical and administrative aspects. While they occasionally protested for form's sake, the candidates excluded on these same grounds generally accepted the decisions of the CEP. A delicate problem arose, involving the application of certain provisions of the 1987 Constitution. Adopted by 98 per cent of the electorate during a referendum in March 1987 and revived by General Avril shortly before his departure in 1990, that Constitution stipulates, in article 291, that "any person well known for having been by his excess zeal one of the architects of the dictatorship" or "any accountant of public funds during the years of the dictatorship concerning whom there is presumptive evidence of unjustified gain", or "any person denounced by public outcry for having inflicted torture on political prisoners ... or for having committed political assassinations" may not be a candidate for any public office for 10 years following the publication of the 1987 Constitution.

73. Article 291 gave rise to lively debates even though it appears to have been the principal reason for the support which a large part of the electorate gave to the 1987 Constitution. Two points should be stressed: on the one hand, the ambiguity of such formulas as "well known", "public outcry" or "presumptive evidence of unjustified gain" and, on the other, the need for the CEP to apply this sanction to candidates whom the judicial system often ignores.

74. In the face of its formidable responsibility, the CEP preferred to eliminate contentious candidates on the grounds of procedural irregularities whenever possible, so much so that article 291 of the Constitution was invoked in only two cases.

75. It is in this context that mention should be made of what has come to be known as the "Manigat case". By strictly interpreting article 134-3 of the Constitution, under which "the President of the Republic ... may serve an additional term only after an interval of five years", the CEP excluded the candidacy of Leslie Manigat, although he had been overthrown by a military coup d'état in June 1988, that is to say, less than five months after his election, and despite the fact that there had been four new Governments since then. This decision also gave rise to vigorous protests on the part of the excluded candidate: the judicial consequences at the national level are still uncertain as of the date of this report, but the international repercussions are far from negligible.

76. Its desire to apply the letter of the law has also led the CEP to exclude many candidates for other posts from the electoral competition, thus creating some imbalance and putting the less well prepared candidates and political parties at a disadvantage.

77. Since the decisions of the CEP on electoral matters are not open to any appeal, rejected candidates have no alternative but to challenge the legality of the Electoral Act and the credibility of the CEP, which created a certain amount of tension in the weeks leading up to the elections.

78. Nevertheless, it remains a very open competition, with all shades of opinion being represented among the different candidates.

E. The electoral campaign

79. The electoral campaign was scheduled to begin on 7 November 1990, the day after the CEP took its decision on the acceptability of candidacies. The official campaign here differs from parallel situations in that it consists only of a certain number of hours of electoral publicity on the national television channel and on national radio. The display of posters and the making of statements on private radio and television stations depend entirely on the resources of the individual candidates and parties. Slow to get off the ground, the campaign has above all consisted of activities to mobilize the population in the national capital and in the capitals of departments. Apart from the events described below, it has not given rise to any significant incidents. It is sufficient to note that the public demonstrations of some political parties have sometimes been disrupted by supporters of other organizations.

80. Given the risk that such incidents might escalate to the extent of affecting the credibility of the electoral campaign, the CEP took the initiative of inviting the political parties and officials of the CCSAE to meet both to discuss what measures should be adopted and to reach agreement on a code of electoral ethics.

81. Nevertheless, on 5 December 1990, one hour after the end of a public meeting of the Front national pour le chargement et la démocratie (FNCD), a grenade attack killed 7 and left some 50 people injured among the dispersing crowd. This attack, which was carried out at night and for which no group has claimed responsibility, darkened the atmosphere of the campaign, causing the FNCD candidate to cancel his visits to southern departments. The Personal Representative of the Secretary-General immediately made a statement mentioning the assurances which he had been given by the Commander-in-Chief of the Armed Forces and expressing the conviction that the determination of the Haitian people would outweigh attempts to undermine the electoral process. This act of terrorism was condemned by all the authorities and political parties and did not lead to any questioning of the role of the security forces, by contrast with the reactions to similar events in 1987. It is true that some concerns were aroused by the slowness and lack of professionalism displayed by the police investigators. In addition, the security measures adopted after the attack were seen as discriminatory by one political group because it was thereby deprived of means by which to mobilize the

population. In fact, the campaign was too far advanced for these measures to have the effects which it feared. On the other hand, it is regrettable that the Government should have decided to close the schools forthwith, thus helping to make an already sceptical population believe that more serious violence could set in. The fact remains that Haiti is not, alas, the only country to suffer from acts of terrorism, which are difficult to keep in check and fully eliminate. Keeping a cool head in the face of events should be of considerable help in maintaining the calm which is essential for the smooth conduct of the elections.

V. THE INSTALLATION AND FUNCTIONING OF THE UNITED NATIONS OBSERVER GROUP FOR THE VERIFICATION OF THE ELECTIONS IN HAITI

A. The composition and organization of the United Nations Observer Group for the Verification of the Elections in Haiti

82. The ONUVEH mission is headed by the Personal Representative of the Secretary-General for Haiti and includes three subdivisions: electoral observation, security observation and administration.

83. The office of the Personal Representative of the Secretary-General consists of the Personal Representative himself and two international staff, a special assistant and a secretary.

84. The electoral subdivision consists of a nucleus of 40 international staff, with the addition of a further 130 electoral observers at the time of the elections. The head of this subdivision is the chief electoral officer, assisted by a political and electoral analysis section and an information section. The regional co-ordinators are deployed in eight of the nine departments, with Nord-Est Department being covered by the co-ordinator of Nord Department, who resides at Cap Haitien. These regional co-ordinators each have between one and three two-member teams of observers.

85. The security subdivision, headed by the chief security observer, a brigadier-general, consists of 64 security observers of whom the majority are drawn from existing peace-keeping operations. The two principal advisers to the CCSAE, an officer responsible for liaison with the headquarters of the Haitian army and an operations section are all located at the Group's main office in Port-au-Prince. A chief of section, at the lieutenant-colonel level, is posted to each of the nine capitals of the departments, except in Nord-Est Department where he resides at Ouanaminthe, south-east of the capital, Fort-Liberté. In each department, there are two or more two-member security observer teams, depending on the prevailing situation.

86. The administrative subdivision, headed by the chief administrative officer, includes 26 international staff. It consists of five sections - telecommunications, general services, finance, transport and personnel - which are located at Port-au-Prince. In addition, the communications section was augmented by nine temporary radio technicians who stayed in Haiti until 20 November to help

with the installation of the communications system. Five general services assistants have been deployed in Haiti to help provide material support for the teams of electoral and security observers. Currently, two of these assistants have been recalled to Port-au-Prince to co-ordinate the administrative measures necessary for the reception and deployment of the additional electoral observers expected at the time of the elections themselves. As for locally recruited staff, there are 73 (research assistants, secretaries, clerks, messengers, cleaners, stores keepers, security guards, administrative assistants and drivers) employed by the three subdivisions, both at Port-au-Prince and in the different departments.

87. The international staff members, all of whom are now at their posts, come from 36 countries. Of the 64 security observers, 18 are from the United Nations Truce Supervision Organization in Palestine (UNTSO), 12 from the United Nations Observer Group for Central America (ONUCA), 4 from the United Nations Angola Verification Mission (UNAVEM), 2 from the United Nations Iran-Iraq Military Observer Group (UNIIMOG) and 28 directly from their own countries.

B. Establishment of the United Nations Observer Group for the Verification of the Elections in Haiti

88. A first group of four international staff arrived in Haiti on 4 October to establish a presence in the country and begin to set up the communications system. This group was originally sent on mission under the ongoing technical assistance project in Haiti and was then incorporated into the ONUVEH mission when it was approved.

89. Following the adoption on 10 October of the resolution authorizing the establishment of ONUVEH, the first six members of the mission proper arrived in Haiti on 13 October; they were joined by other groups on 14 and 15 October and by the Personal Representative of the Secretary-General on 16 October. Other electoral and administrative officials arrived in Haiti between 17 and 23 October, while the first members of the security subdivision (the chief security observer, the senior security adviser, the senior liaison officer and the chief operations officer) arrived on 24 October.

90. Starting on 17 October, the first teams of electoral observers, headed by the eight regional co-ordinators, were deployed to departments after receiving the necessary instructions. These teams were later supplemented as the remaining electoral observers arrived at Port-au-Prince.

91. Despite the initial lack of vehicles, the deployment of security observers began on 1 November. Manning was complete by 27 November.

92. Problems arose with regard to vehicles and communications. With regard to four-wheel drive vehicles needed to ensure the mobility of teams in the field, ONUVEH had to hire whatever was available on the Haitian market, including some far from reliable equipment. The 30 vehicles lent by the United Nations Observer Group for Central America were delayed at Miami and were only off-loaded at Port-au-Prince on 7 November.

93. With regard to communications, the first consignment of the equipment stored at Pisa, Italy, only reached Haiti on 29 October and the rest only arrived on 5 November, with the result that the system was not fully operational until 12 November. Mobile radios were installed in vehicles with the assistance of the local Motorola representative, with whom ONUVEH signed a contract. At Port-au-Prince, telephone lines were supplied and installed by the Haitian company Téléco, which was very co-operative. Elsewhere, they took longer to install but all departmental capitals were connected to Port-au-Prince by 12 November.

94. In general, sources of supply in Haiti are limited and prices are very high. Advance payment in United States dollars is almost always demanded. Since its needs are immediate, the ONUVEH mission is forced to accept the terms offered by its suppliers.

95. The Haitian Government replied formally to the United Nations that it was unable to provide ONUVEH with appropriate office space. At Port-au-Prince, the mission has its headquarters at the Hotel Christophe, the best equipped from the standpoint both of available premises and of communications. In the departments, offices have been rented in hotels or other facilities, as available.

VI. THE ACTIVITIES OF THE UNITED NATIONS OBSERVER GROUP FOR THE VERIFICATION OF THE ELECTIONS IN HAITI

A. Enhancing the credibility of the electoral process

96. In a country that had been traumatized by the experience of the elections on 29 November 1987, the first task of ONUVEH was to help create a psychological climate conducive to the holding of democratic elections. To do this, permanent observers deployed throughout the country established numerous contacts with the local authorities, particularly the electoral and military authorities, and with all sectors of society. These contacts were made both by electoral observers and by security observers, acting jointly or separately as appropriate. Everywhere they went, observers explained the nature of the ONUVEH mission, dispelling any misunderstandings which had arisen on this score, particularly with regard to security. In this they were assisted by the radio and television campaign conducted by the ONUVEH information team. They were warmly welcomed almost everywhere they went, although the population occasionally expressed regret that there were so few of them and that they could not themselves protect the voters.

97. Since feelings of insecurity are heightened by the hostility or distrust with which the population views the armed forces, ONUVEH observers sought to encourage the dialogue initiated by the electoral authorities with the military authorities. In some cases, they took the initiative of organizing meetings, which proved fruitful.

98. There can be no doubt that all these efforts helped enhance the credibility of the electoral process, as is borne out by the fact that the events of 5 December, which not long ago might have derailed the electoral process, do not seem to have shaken the belief that the elections will indeed take place or lessened the determination of the vast majority of Haitians to go to the polls on 16 December.

B. Electoral observation

99. In addition to this careful effort of psychological preparation, the ONUVEH observers fulfilled their mission of observing electoral operations. The electoral observers inquired into the difficulties encountered by the BIVs in registering voters and the irregularities reported to them. They attended political meetings held in their departments. They monitored radio and television broadcasts to make sure that all candidates had equal access to the mass media. In the chapter on the conduct of the electoral process, we mentioned the conclusions reached by ONUVEH; we shall return to these later. Throughout the electoral process, the Personal Representative of the Secretary-General and the chief electoral officer were in frequent contact with the President of the CEP and some of his colleagues, transmitting their concerns to them and making suggestions to ensure the proper conduct of the electoral process and facilitate their task.

C. Security observation

100. During the period from 24 October to 30 November 1990, the security observers focused their efforts on the following areas: making personal contact with local authorities, identifying "sensitive areas" where the potential for conflict was greater and gathering any information on security problems that might require their attention.

101. After 1 December 1990, the security observers concentrated their efforts on areas deemed sensitive, working with law-and-order officials responsible for drawing up and implementing the local security plan. Although the Haitian Armed Forces are responsible for electoral security, the security observers have had an important role to play and an obvious influence on the local military authorities.

D. Assistance to the Co-ordinating Committee for the Security of Electoral Activities

102. Having established close ties with the senior officers on the CCSAE, the two advisers assigned to this Committee participated in all the preparatory work on security measures. They helped the officers organize the security of presidential candidates and of the election campaign. Their activities culminated in the formulation of a national electoral security plan within days of the first round of the elections.

VII. CO-ORDINATION WITH OTHER OBSERVER MISSIONS

103. In addition to the United Nations, other international or non-governmental organizations are or will be present in Haiti to observe the elections, making it necessary to co-ordinate their respective activities.

104. To start with, OAS sent a group of some 30 observers, who travelled around the country and left Haiti on 30 October at the end of the registration period. Some people stayed on at Port-au-Prince and are now busy receiving the handful of observers expected in Haiti for the elections.

105. Former President Jimmy Carter, who as President of the Council of Freely Elected Heads of State, visited Port-au-Prince twice, intends to send some 30 of his own observers to Haiti at the time of the elections, as he did in Nicaragua. Other non-governmental organizations are also expected to be present at election time.

106. Supervision of the elections proper must now be thoroughly co-ordinated. ONUVEH has had numerous contacts with OAS on this subject, both in Washington D.C. and at Port-au-Prince, including on the occasion of the visit by the Secretary-General of OAS, Mr. Baena Soares, to Port-au-Prince on 10 October. The two organizations have agreed to co-ordinate their activities in the field informally, without creating cumbersome, costly bureaucracy. Meetings have already taken place in the departments between the two missions' teams, enabling them to exchange information and even to co-ordinate observation or survey visits. The two organizations are none the less keeping their identities separate.

107. Close co-operation between the United Nations and OAS will be instituted above all for verifying the results of the elections.

108. Although the ONUVEH mission has the resources to undertake such verification itself, it plans to work in co-operation with OAS and to make a projection of the results with it, based on a sample of polling stations. Such a joint operation will make it possible to use overall available resources more efficiently. The envisaged co-operation will be as non-bureaucratic as possible and will basically involve the collection, transmission and processing of data. A joint decision will be taken on how to use the results, but the CEP of course remains the only body authorized to announce the final results.

CONCLUSION

109. Throughout the report, much of the emphasis has been on aspects of the electoral process most open to criticism. This should not overshadow its highly positive aspects, however. After years of dictatorship and censorship, mention should first be made of the fact that there was complete freedom of expression throughout the election campaign. There were no restrictions on the broadcast or written press and no journalists reported any personal intimidation. Secondly despite some minor, inconsequential incidents here and there, the election campaign was virtually violence-free, the tragic events of 5 December, at the end of the campaign, being the one notable exception. Fortunately, the run-up to the elections was unmarred by any similar brutality.

110. Mention should also be made of the fairness of the electoral race, as evidenced by the visible absence of abuse of State property in favour of any given candidate.

111. The impartiality of the CEP, and of institutions such as the executive branch and the armed forces, towards political figures also deserves to be mentioned. Party coalitions, for instance, were definitely sought after and encouraged by the CEP but did not result in an imbalance between the various competing forces.

112. Although many candidates were rejected for failing to meet the formal requirements of a complex law that was strictly applied, the candidates allowed to run for office represent the entire spectrum of the country's social and political life, incontestably enabling the Haitian people to make a genuine electoral choice in order to determine their future freely.

113. Lastly, it should be mentioned that with the exception of the 5 December events, voter registration and the election campaign proceeded without incident.

114. On the eve of the first round of the elections, we can therefore say that the Haitian electoral process took place under favourable conditions, welcome the fact that the international community's support helped achieve this result and hope that the campaign will culminate in fair, peaceful and credible elections.

Notes

1/ Parties and groups making up the Group of Twelve at the time the Protocol of Understanding was signed:

1. KONAKOM (Parti du Congrès des mouvements démocratiques)
2. MDN (Mouvement démocratique national)
3. MNP-28 (Mouvement national patriotique du 28 Novembre)
4. MIDH (Mouvement pour l'instauration de la démocratie en Haïti)
5. MOP (Mouvement d'organisation du pays)
6. PANPRA (Parti nationaliste progressiste révolutionnaire haïtien)
7. PDCH (Parti démocrate chrétien haïtien)
8. PNDPH (Parti national démocratique progressiste d'Haïti)
9. PPSC (Parti populaire social chrétien)
10. PUCH (Parti unifié des communistes haïtiens)
11. UCH (Union des constitutionnalistes haïtiens)
12. Oné Respé Konstitisyon an.

2/ This fact is confirmed by the high number of communes in which all the BIVs have 250 registered voters.

Notes (continued)

3/ This example is typical of the many administrative problems which the CEP itself has created. Nothing prevented the CEP from calling for an amendment to the Electoral Act on this point, so that the same documents could be accepted for registration as elector and as candidate. The final approval of a candidacy would then have been subject to the candidate's registration as an elector.

APPENDIX I

Political parties and groups in Haiti

Abbreviation or acronym	Name of political party or group
ARH	Alliance pour la renaissance d'Haïti
PANPRA) PNDH) MNP-28)	Bloc unitaire patriotique (dissolved on 11 December 1988)
CHADEL	Centre haïtien des libertés publiques Comité de coordination des forces démocratiques Comité de liaison des forces démocratiques
KID	Confédération unitaire démocratique - Komité inité démokratik
CP-7	Club politique du 7 février Forces révolutionnaires haïtiennes
FUNL	Front unifié de libération nationale
KONAKOM	Komité nasyonal kongré mouvmân démokratik yo KONAKOM
KDN	Koumbite démocratique national
MDN	Mobilisation pour le développement national
MAD	Mouvement d'action démocratique
MODELH-PRDH	Mouvement démocratique de libération
MDU	Mouvement démocratique de l'unité
MDNH	Mouvement des démocrates nationaux haïtiens
MKN	Mouvement koumbite national
MIDH	Mouvement pour l'instauration de la démocratie en Haïti
MNP-28	Mouvement national patriotique du 28 novembre
MNPH	Mouvement nationaliste progressiste haïtien
MOP	Mouvement d'organisation du pays - Mouvement ouvrier paysan
MOP	Mouvement d'organisation du pays
MODHA	Mouvement ouvrier démocratique haïtien
MURH	Mouvement d'union révolutionnaire
MOVELH	Mouvement de volontariat pour des élections libres et honnêtes
PAIN	Parti agricole industriel national
PCSD	Parti des chrétiens sociaux démocrates
PDCH	Parti démocrate chrétien haïtien

Abbreviation or acronym	Name of political party or group
PDPP	Parti démocrate parlementaire progressiste
PDPC	Parti démocrate progressiste de carrefour
PDL	Parti démocrate libéral Jean-Jacques Dessalines
PARADIS	Parti haïtien de Dieu
PLPH	Parti libéral patriotique haïtien
PLH	Parti de la libération haïtienne
PNDT	Parti national de défense des travailleurs
PNDPH	Parti national démocratique progressiste haïtien
PNDRPH	Parti national démocratique pour la reconstruction et le progrès d'Haïti
PNH	Parti national haïtien
PNPR	Parti national progressiste révolutionnaire
PNT	Parti national du travail
PAPAH	Parti pan américain d'Haïti
PPH	Parti des patriotes haïtiens
PPNH	Parti populaire national haïtien
PPSH	Parti populaire social chrétien
PADRANA	Parti de ralliement national
PARAN	Parti du ralliement national
PRH	Parti réformiste haïtien
PSCH	Parti social chrétien d'Haïti
PUCH	Parti unifié des communistes Haïtiens
PUNH	Parti union nationale d'Haïti
RANFOP	Rasambleman Nasyonal For Peysan Yo
RDNP	Rassemblement des démocrates nationaux progressistes
RDC	Rassemblement des démocrates chrétiens
RDR	Rassemblement des démocrates pour la République
	Rassemblement national (Organisation populaire, partis politiques et centrales)
REN	Rassemblement pour l'entente nationale
	Renaissance d'Haïti en Jésus, par Jésus et avec Jésus
UDH	Union démocratique haïtienne

Abbreviation or acronym	Name of political party or group
UFOPADHA	Union des forces patriotiques et démocratiques haïtiennes
UNFD	Union nationale des forces démocratiques
URH	Union pour le renouveau haïtien
UNDDDP	Union nationale pour la défense de la démocratie et des droits de l'homme

Source: Ministry of Justice, Haiti.

APPENDIX II

Candidates by party and by post

	President	Senator	Deputy	Mayor	CASEC
ANDP	1	24	70	113	350
ARH			1		
PDCH	1	15	46	63	180
PNT	1	12	44	47	93
RDNP		13	37	34	90
FNCD	1	15	36	48	133
MDN	1	4	29	39	128
PAIN	1	11	23	36	91
PARADIS	1				
MRN	1	12	22	20	36
MODELH-PRDH	1	7	14	26	60
MKN	1	2	9	8	17
RDNP		13	37	34	90
UPD		2	3	1	3
URN			2	3	
INDEPENDENT	1	1	9	94	340
Posts	1	27	82	133	560

APPENDIX III

List of presidential candidates accepted by the Interim Electoral Council (in alphabetical order)

Jean-Bertrand Aristide (FNCD)

Marc Bazin (ANDP)

Sylvio Claude (PDCH)

Louis Déjoie II (PAIN)

Thomas Désulmé (PNT)

Vladimir Jeanty (PARADIS)

François Latortue (MODELH-PRDH)

Volvick Rémy-Joseph (MKN)

Hubert de Ronceray (MDN)

Fritz Simon (independent candidate)

René Théodore (MRN)

UNITED
NATIONS

A

General Assembly

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A/45/871
17 December 1990
ENGLISH
ORIGINAL: ARABIC

Forty-fifth session
Agenda items 34 and 118

POLICIES OF APARTHEID OF THE GOVERNMENT OF SOUTH AFRICA

PROGRAMME BUDGET FOR THE BIENNIUM 1990-1991

Programme budget implications of the draft resolutions A/45/L.31, A/45/L.33, A/45/L.38, A/45/L.39, A/45/L.40, A/45/L.41 and A/45/L.42

Report of the Fifth Committee

Rapporteur: Mr. Shamel NASSER (Egypt)

1. At its 47th meeting, on 16 December 1990, the Fifth Committee, pursuant to rule 153 of the rules of procedure of the General Assembly, considered the statement by the Secretary-General (A/C.5/45/68) on the programme budget implications of the draft resolutions A/45/L.31, A/45/L.33, A/45/L.38, A/45/L.39, A/45/L.40, A/45/L.41 and A/45/L.42. The related report of the Advisory Committee on Administrative and Budgetary Questions was presented orally by its Chairman.

2. Statements and comments made in the course of the Committee's consideration of this item are reflected in the relevant summary record (A/C.5/45/SR.47).

DECISION OF THE FIFTH COMMITTEE

3. The Fifth Committee decided, without a vote, to inform the General Assembly that, should it adopt draft resolutions A/45/L.31, A/45/L.38, A/45/L.39, A/45/L.40, A/45/L.41 and A/45/L.42, no modification in the programme of work for 1990-1991, as reflected under section 3 of the 1990-1991 programme budget, would be required. Furthermore, no additional appropriation would be required under section 3 of the programme budget for the biennium 1990-1991.

4. Should the General Assembly adopt draft resolution A/45/L.33 entitled "Programme of work of the Special Committee against Apartheid" modifications would have to be made in the citation of outputs under programme element 1.4 of subprogramme 1 "Promotional services" of section 27, Department of Public Information, of the programme budget for the biennium 1990-1991, as indicated in paragraph 36 of the Secretary-General's statement.

5. Furthermore, should the General Assembly adopt draft resolution A/45/L.33, additional requirements in the amount of $117,000 would arise under section 27 of the programme budget for the biennium 1990-1991.

6. In summary, should the General Assembly adopt draft resolutions A/45/L.31, A/45/L.33, A/45/L.38, A/45/L.39, A/45/L.40, A/45/L.41 and A/45/L.42 the only additional requirements which would arise would be under section 27, Department of Public Information, in an estimated amount of $117,000.

7. Such requirements would constitute an additional expenditure derived from legislative mandates not provided for in the programme budget for 1990-1991 and would therefore be subject to the guidelines for the use of the contingency fund approved by the General Assembly in its resolution 42/211 of 21 December 1987. In the event that the appropriation required could not be financed from the contingency fund, the Secretary-General, pursuant to annex 1 of General Assembly resolution 41/213, has identified activities for deferral to the 1992-1993 biennium in order to offset the additional costs that would result from the adoption of draft resolution A/45/L.33, as indicated in paragraph 40 of the Secretary-General's statement.

8. A statement in explanation of position was made by the representative of the United Kingdom of Great Britain and Northern Ireland.

UNITED
NATIONS

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Forty-fifth session
Agenda items 79 (c) and 118

DEVELOPMENT AND INTERNATIONAL ECONOMIC CO-OPERATION: REVIEW AND APPRAISAL OF THE IMPLEMENTATION OF THE SUBSTANTIAL NEW PROGRAMME OF ACTION FOR THE 1980s FOR THE LEAST DEVELOPED COUNTRIES

PROGRAMME BUDGET FOR THE BIENNIUM 1990-1991

Programme budget implications of the draft resolution recommended by the Second Committee in its report (A/45/849/Add.4, para. 9)

Report of the Fifth Committee

Rapporteur: Mr. Shamel NASSER (Egypt)

1. At its 47th meeting, on 15 December 1990, the Fifth Committee, pursuant to rule 153 of the rules of procedure of the General Assembly, considered the statement by the Secretary-General (A/C.5/45/69) on the programme budget implications of the draft resolution recommended by the Second Committee in paragraph 9 of its report (A/45/849/Add.4). The recommendations of the Advisory Committee on Administrative and Budgetary Questions were presented orally by its Chairman.

2. Statements made in the course of the Committee's consideration of this item are reflected in the relevant summary records (A/C.5/45/SR.47).

DECISION OF THE FIFTH COMMITTEE

3. The Fifth Committee decided, without a vote, to inform the General Assembly that, should it adopt the draft resolution recommended by the Second Committee in paragraph 9 of its report (A/45/849/Add.4):

(a) Additional resource requirements would arise in the amount of $387,500 under section 15 (United Nations Conference on Trade and Development) of the programme budget for the biennium 1990-1991;

(b) In addition, an amount of $87,500 would be required under section 31 (Staff assessment), to be offset by a corresponding amount under income section 1 (Income from staff assessment);

(c) Such requirements would constitute an additional expenditure derived from legislative mandates not provided for in the programme budget for 1990-1991 and would therefore be subject to the guidelines for the use of the contingency fund approved by the General Assembly in its resolution 42/211 of 21 December 1987.

UNITED
NATIONS

A

General Assembly

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Forty-fifth session
Agenda items 79 (e) and 118

DEVELOPMENT AND INTERNATIONAL ECONOMIC CO-OPERATION:
NEW AND RENEWABLE SOURCES OF ENERGY

PROGRAMME BUDGET FOR THE BIENNIUM 1990-1991

Programme budget implications of the draft resolution recommended by the Second Committee in its report (A/45/849/Add.6, para. 6)

Report of the Fifth Committee

Rapporteur: Mr. Shamel NASSER (Egypt)

1. At its 47th meeting, on 15 December 1990, the Fifth Committee, pursuant to rule 153 of the rules of procedure of the General Assembly, considered the statement submitted by the Secretary-General (A/C.5/45/71) on the programme budget implications of the draft resolution recommended by the Second Committee in paragraph 6 of its report (A/45/849/Add.6). The recommendations of the Advisory Committee on Administrative and Budgetary Questions were presented orally by its Chairman.

2. Statements and comments made in the course of the Committee's consideration of this item are reflected in the relevant summary record (A/C.5/SR.47).

DECISION OF THE FIFTH COMMITTEE

3. The Fifth Committee decided, without a vote, to inform the General Assembly that should it adopt the draft resolution recommended by the Second Committee in paragraph 6 of its report (A/45/849/Add.6):

(a) Additional requirements would arise in the amount of $10,000 under section 5A (Office of the Director-General for Development and International Economic Co-operation); and $177,500 under section 6 (Department of International Economic and Social Affairs) of the programme budget for the biennium 1990-1991;

(b) That these requirements would constitute an additional expenditure derived from legislative mandates not provided for in the proposed programme budget and would therefore be subject to the guidelines for the operation and use of the contingency fund adopted by the General Assembly in resolution 42/211 of 21 December 1987.

UNITED
NATIONS

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General Assembly

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18 December 1990
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Forty-fifth session
Agenda items 81 and 118

PROTECTION OF GLOBAL CLIMATE FOR PRESENT AND FUTURE GENERATIONS OF MANKIND

PROGRAMME BUDGET FOR THE BIENNIUM 1990-1991

Programme budget implications of the draft resolution recommended by the Second Committee in its report (A/45/851, para. 13)

Report of the Fifth Committee

Rapporteur: Mr. Shamel NASSER (Egypt)

1. At its 47th meeting, on 15 December 1990, the Fifth Committee, pursuant to rule 153 of the rules of procedure of the General Assembly, considered the statement submitted by the Secretary-General (A/C.5/45/70) on the programme budget implications recommended by the Second Committee in paragraph 13 of its report (A/45/851). The recommendations of the Advisory Committee on Administrative and Budgetary Questions were presented orally by its Chairman.

2. Statements and comments made in the course of the Committee's consideration of this item are reflected in the relevant summary record (A/C.5/45/SR.47).

DECISION OF THE FIFTH COMMITTEE

3. The Fifth Committee decided, without a vote, to inform the General Assembly that, should it adopt the draft resolution recommended by the Second Committee in paragraph 13 of its report (A/45/851), no additional appropriations would be required in 1990-1991.

90-36202 0582P (E)

UNITED
NATIONS

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General Assembly

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17 December 1990
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Forty-fifth session
Agenda items 117 and 118

REVIEW OF THE EFFICIENCY OF THE ADMINISTRATIVE AND FINANCIAL FUNCTIONING OF THE UNITED NATIONS

PROGRAMME BUDGET FOR THE BIENNIUM 1990-1991

Programme budget implications of draft resolution A/45/L.34/Rev.1

Report of the Fifth Committee

Rapporteur: Mr. Shamel NASSER (Egypt)

1. At its 46th meeting, on 14 December 1990, the Fifth Committee, pursuant to rule 153 of the rules of procedure of the General Assembly considered the statement by the Secretary-General (A/C.5/45/72) on the progamme budget implications of draft resolution A/45/L.34/Rev.1 relating to a resumed session of the General Assembly in April 1991. The recommendations of the Advisory Committee on Administrative and Budgetary Questions were presented orally by its Chairman.

2. Comments made in the course of the Committee's consideration of this item are reflected in the relevant summary record (A/C.5/45/SR.46).

DECISION OF THE FIFTH COMMITTEE

3. The Fifth Committee decided, without a vote, to inform the General Assembly that, should it adopt draft resolution A/45/L.34/Rev.1, no additional appropriations would be required.

90-36042 0573P (E)

UNITED
NATIONS

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General Assembly Security Council

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S/22005
17 December 1990
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GENERAL ASSEMBLY
Forty-fifth session
Agenda item 34
POLICIES OF APARTHEID OF THE
GOVERNMENT OF SOUTH AFRICA

SECURITY COUNCIL
Forty-fifth year

Letter dated 17 December 1990 from the Permanent Representative of Italy to the United Nations addressed to the Secretary-General

I have the honour to transmit the text, in English and French, of the statement on South Africa by the European Council issued on 15 December 1990.

I should be grateful if you would have the text of the present letter and its annex circulated as a document of the General Assembly, under agenda item 34, and of the Security Council.

(Signed) Vieri TRAXLER
Ambassador

UNITED
NATIONS

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General Assembly Security Council

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A/45/877
S/22006
17 December 1990
ENGLISH
ORIGINAL: ARABIC

GENERAL ASSEMBLY
Forty-fifth session
Agenda items 23 and 35
QUESTION OF PALESTINE
THE SITUATION IN THE MIDDLE EAST

SECURITY COUNCIL
Forty-fifth year

Letter dated 15 December 1990 from the Permanent Representative of Egypt to the United Nations addressed to the Secretary-General

I have the honour to transmit to you herewith the text of a statement issued by the Ministry of Foreign Affairs of Egypt on the occasion of the entry of the Palestinian intifadah into its fourth year.

I should be grateful if you would have this letter and its annex circulated as a document of the General Assembly, under agenda items 23 and 35, and of the Security Council.

(Signed) Amre M. MOUSSA
Ambassador
Permanent Representative

ANNEX

Statement on the Palestinian intifadah issued by the Ministry of Foreign Affairs of Egypt

Commenting on the advent of the third anniversary of the outbreak of the intifadah of the Palestinian people in the occupied Arab territories, an official source in the Ministry of Foreign Affairs stated that the entry of the valiant intifadah into its fourth year was an event that had important implications for progress towards a settlemen of the Arab-Israeli conflict and of the question of Palestine. The official source went on to say that its most significant implication was that the Palestinian people, with the backing of the Arab peoples in general, did not accept any continuation of the status quo in the occupied Arab territories as represented by the occupation, particularly in the face of escalating Israeli violence in a vain attempt to suppress the intifadah. That was living proof of the indomitable desire of the Palestinian people to stand fast.

The source added that the endurance of the intifadah must convince the Israeli Government that it could not retain the territories and thwart the aspirations of the Palestinian people for the establishment of its own State in its own land.

The official source stressed that the need to reach a comprehensive and just settlement to the Arab-Israeli conflict and the question of Palestine in the framework of the resolutions of the United Nations had now become more pressing in the light of current international attitudes on the settlement of regional disputes. The official source expressed great hope for the resumption of the peace process immediately on the achievement of a settlement of the Gulf crisis.

The source stated that Egypt reaffirmed the importance of ensuring the security of all States and peoples in the region. There could be no stable peace in the Middle East as long as this goal was not achieved. The source pointed to the need for the States of the region to reach agreement, within the framework of the United Nations, on measures for the elimination of weapons of mass destruction from the Middle East.

UNITED
NATIONS

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17 December 1990

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Forty-fifth session
Agenda item 117

REVIEW OF THE EFFICIENCY OF THE ADMINISTRATIVE AND FINANCIAL FUNCTIONING OF THE UNITED NATIONS

Proposed programme budget outline for the biennium 1992-1993

Report of the Advisory Committee on Administrative and Budgetary Questions

1. The Advisory Committee on Administrative and Budgetary Questions has considered the report of the Secretary-General on the proposed programme budget outline for the biennium 1992-1993 (A/45/369).

2. Introductory material is provided in paragraphs 1 to 5 of the report of the Secretary-General. The Advisory Committee notes from paragraph 5 that the Secretary-General has exercised his discretion to "anticipate changes in programme activities to be introduced during the year in which the outline is considered, taking into account intergovernmental discussions of the proposals which are likely to modify the existing mandates".

3. In paragraph 6 of the report it is indicated that the preliminary estimate of resources to accommodate the proposed programme of activities during the biennium 1992-1993 amounts to $1,996.1 million. According to the Secretary-General, this estimate is $21.5 million or 1.1 per cent, higher in nominal terms than the initial appropriations of $1,974.6 million for the programme budget for the biennium 1990-1991. In accordance with the methodology that he has used, the Secretary-General states in paragraph 15 of his report that the rate of real growth is projected at zero per cent.

4. The Advisory Committee requested information to update the estimated impact on the budget outline of action taken or to be taken at the current session of the General Assembly. Of the statements of programme budget implications and revised estimates that have been considered or are awaiting consideration, several include

activities that are to be undertaken in or are proposed for the biennium 1992-1993. The Advisory Committee has been informed that in the best judgement of the Secretary-General, the related estimated costs, at initial 1990-1991 rates, are estimated at $15.6 million.

5. Of this total $5.5 million has already been anticipated in the Secretary-General's preliminary estimate. In keeping with past practice, it is thus necessary to add $10.1 million to the preliminary estimate (see A/43/929, paras. 13 and 16).

6. In keeping with past practice, it is also necessary to take into account updated forecasts for inflation for the next biennium and the latest available rates of exchange (see A/43/929, paras. 15 and 16). According to information provided by the Secretary-General, adjustment to revised 1990-1991 rates would require an addition of $139,094,200. The subsequent adjustment to 1992-1993 rates would require a further addition of $317,080,400.

7. As shown in the table below, the total preliminary estimate recommended by the Advisory Committee for the biennium 1992-1993 at 1992-1993 rates is $2,462,400,000.

		Millions of US dollars	
1.	Secretary-General's preliminary estimate at initial 1990-1991 rates	1 996.1	
2.	Additional requirements at initial 1990-1991 rates	10.1	
	Sub-total at initial 1990-1991 rates		2 006.2
3.	Adjustment due to recosting at revised 1990-1991 rates	139.1	
4.	Adjustment due to recosting at 1992-1993 rates	317.1	
	Total		2 462.4

8. The size of the contingency fund is discussed in paragraph 18 of the Secretary-General's report. As noted in that paragraph:

> "In accordance with paragraph 4 of Assembly resolution 44/200 B of 21 December 1989, a report on the use and operation of the contingency fund based on the experience gained in the implementation of the programme budget for the biennium 1990-1991 will be submitted to the Assembly at its forty-sixth session."

The Secretary-General goes on to state that:

> "Pending further experience, there would appear to be no reason to recommend for 1992-1993 a contingency fund of the size different from the one recommended for 1990-1991, namely 0.75 per cent."

The Advisory Committee concurs in this recommendation and accordingly recommends a contingency fund of $19 million, which represents, in round terms, 0.75 per cent of the preliminary estimate of $2,462,400,000 at 1992-1993 rates. The Advisory Committee recalls that the contingency fund for 1990-1991 was set at $15 million by General Assembly resolution 43/214 of 21 December 1988. As indicated in paragraph 4 of the Secretary-General's consolidated statement of programme budget implications and revised estimates (A/C.5/45/73), a balance of $3,218,700 will remain in the contingency fund after 31 December 1990.

UNITED NATIONS

A

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Forty-fifth session
Agenda item 124

PATTERN OF CONFERENCES

Report of the Fifth Committee

Rapporteur: Mr. Shamel NASSER (Egypt)

I. INTRODUCTION

1. At its 3rd plenary meeting, on 21 September 1990, the General Assembly, on the recommendation of the General Committee, decided to include in the agenda of its forty-fifth session the item entitled "Pattern of conferences" and to allocate it to the Fifth Committee.

2. The Fifth Committee considered the item at its 4th, 7th, 11th, 12th, 14th and 46th meetings, held on 8, 12, 17 and 23 October and 14 December 1990. Statements and observations made in the course of the discussion of the item and replies to queries raised are reflected in the relevant summary records of the Committee (A/C.5/45/SR.4, 7, 11, 12, 14 and 46).

3. For its consideration of the item, the Committee had before it the report of the Committee on Conferences, 1/ and the report of the Secretary-General on the printing requirements of the United Nations (A/C.5/45/8). It also had before it the letters dated 30 August, 5 September, 18 October and 2 November 1990 from the Chairman of the Committee on Conferences to the President of the General Assembly (A/45/475 and Add.1-3)

1/ Official Records of the General Assembly, Forty-fifth Session, Supplement No. 32 (A/45/32 and Add.1 and Add.1/Corr.1).

II. CONSIDERATION OF PROPOSALS

4. At its 14th meeting, on 23 October, the Fifth Committee decided, without objection, to recommend that the General Assembly approve the recommendations made by the Secretary-General in paragraph 13 of his report on the printing requirements of the United Nations (see para. 8).

5. At the 46th meeting, on 14 December, following informal consultations, the Rapporteur of the Fifth Committee, Mr. Shamel Nasser (Egypt), introduced a draft resolution, entitled "Pattern of conferences" (A/C.5/45/L.8).

6. At the same meeting, the Fifth Committee adopted draft resolution A/C.5/45/L.8 without a vote (see para. 7).

III. RECOMMENDATIONS OF THE FIFTH COMMITTEE

7. The Fifth Committee recommends to the General Assembly the adoption of the following draft resolution:

Pattern of conferences

A

Report of the Committee on Conferences

The General Assembly,

Having considered the report of the Committee on Conferences, 2/

Noting the various conclusions and recommendations of the Committee on Conferences as included in its report,

Recalling its resolution 44/196 A of 21 December 1989,

1. Approves the revised calendar of conferences and meetings of the United Nations for 1991 as submitted by the Committee on Conferences;

2. Requests the Committee on Conferences to review, within its mandate, the existing procedures with regard to inter-sessional departures from the approved calendar of conferences and meetings and report to the General Assembly at its forty-sixth session;

2/ Official Records of the General Assembly, Forty-fifth Session, Supplement No. 32 and corrigendum and addendum (A/45/32 and Add.1 and Add.1/Corr.1).

3. Authorizes the Committee on Conferences to make adjustments in the calendar of conferences and meetings for 1991 that may become necessary as a result of action and decisions taken by the General Assembly at its forty-fifth session;

4. Calls upon the Committee on Conferences to continue to explore new ways to improve its effectiveness in carrying out its mandate as approved by the General Assembly;

5. Notes the efforts made by a number of United Nations organs to improve the utilization of conference-servicing resources;

6. Invites United Nations bodies, in making requests for conference services in accordance with their respective mandates, to ensure that the conference services requested are sufficient to enable them to carry out their tasks fully and match, to the extent possible, their actual requirements;

7. Urges all United Nations organs and bodies to intensify their efforts to improve their utilization of requested conference-servicing resources;

8. Calls upon the Committee on Conferences to consider, within its mandate, further measures to improve the overall efficiency and effectiveness of the use of conference-servicing resources, bearing in mind the relevant recommendations in the report of the Group of High-level Intergovernmental Experts to Review the Efficiency of the Administrative and Financial Functioning of the United Nations, 3/ as approved by resolution 41/213 of 19 December 1986, and to report to the General Assembly at its forty-sixth session;

9. Requests the Chairman of the Committee on Conferences and the Secretary-General to maintain their contacts with all United Nations organs in order to ensure the most efficient and effective use of conference services allocated to them;

10. Requests the Chairmen of United Nations organs to bring the concerns about the utilization of conference-servicing resources to the attention of the organs concerned;

11. Requests the Committee on Conferences in implementing the new methodology to consider additional elements proposed in the discussions in the Fifth Committee and to report thereon to the General Assembly;

12. Also requests the Committee on Conferences to remain seized of the matter of the improved utilization of conference-servicing resources on the basis of further reports from the Secretary-General;

13. Welcomes the efforts of the Secretary-General in the area of system-wide co-ordination of conference services and invites him in this regard to use more extensively the co-ordinating potential of the Consultative Committee on Administrative Questions;

3/ Ibid., Forty-first Session, Supplement No. 49 (A/41/49).

14. Also welcomes the revised work-load standards for conference-servicing staff, which, as noted in decision 45/__, reflect a further step towards enhanced productivity of conference-servicing staff;

15. Requests the Secretary-General, in view of continuing investments in technologies, to continue to explore ways to achieve optimum use of all resources in the area of conference servicing.

B

Control and limitation of documentation

The General Assembly,

Recalling its resolution 44/196 B of 21 December 1989,

Recalling also its resolution 41/213 of 19 December 1986,

Taking into account the continuing financial crisis and the need to improve efficiency and effectiveness,

1. Requests the Committee on Conferences to continue to review the provision of summary records on a regular basis and to report thereon to the General Assembly as appropriate;

2. Decides that, pending a further decision of the General Assembly on the recommendations of the Committee on Conferences, no subsidiary organ of the General Assembly shall be entitled to summary records, with the exception of the following:

(a) Ad Hoc Committee on the Indian Ocean;

(b) Committee on the Exercise of the Inalienable Rights of the Palestinian People;

(c) International Law Commission;

(d) Legal Sub-Committee of the Committee on the Peaceful Uses of Outer Space;

(e) Special Committee against Apartheid;

(f) United Nations Commission on International Trade Law;

3. Decides that summary records should continue to be provided to regular and special sessions of the following governing bodies of the United Nations organs and programmes: the Executive Board of the United Nations Children's Fund; the Executive Committee of the Programme of the United Nations High Commissioner for Refugees; and the Governing Council of the United Nations Development Programme;

4. Renews its appeal to Member States to exercise restraint in their requests for the circulation of communications as United Nations documents and to keep their submissions as brief as possible;

5. Also renews its appeal to Member States and other organizations of the United Nations system to respond in a timely manner to requests for information for inclusion in documents;

6. Requests the Secretary-General to take all appropriate measures to ensure that pre-session documents for meetings are distributed not less than six weeks before the meetings, simultaneously in all official languages of the organs of the United Nations, in accordance with resolutions 33/56 of 14 December 1978 and 36/117 B of 10 December 1981, and to circulate eight weeks before the opening of a meeting of an intergovernmental body, with the annotated agenda of the meeting, a report on the state of preparedness of all the documents for the session, in all languages, at that time;

7. Requests the secretariats of subsidiary organs to bring the recommendations of the General Assembly on the desirable thirty-two-page limit to the attention of the subsidiary organs at the start of substantive sessions;

8. Requests that intergovernmental organs exercise restraint in their authorization of recurrent publications;

9. Requests the Secretary-General to maximize the use of internal printing facilities, revising the format of United Nations documents for which external printing is now required, as appropriate;

10. Requests the Committee on Conferences to keep the matter under review and to report to the General Assembly at its forty-seventh session.

8. The Fifth Committee recommends to the General Assembly the adoption of the following draft decision:

Printing requirements of the United Nations

The General Assembly recommends that the current policies and practices of the United Nations be continued so that maximum use is made of internal printing capacities established to meet peak requirements for the production of parliamentary documentation at major conference centres, including the regional commissions, and that use of external printing services is carefully controlled to ensure that such services are procured on the most economic and efficient basis.

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Forty-fifth session
Agenda item 128

UNITED NATIONS PENSION SYSTEM

Report of the Fifth Committee

Rapporteur: Mr. Shamel NASSER (Egypt)

I. INTRODUCTION

1. At its 3rd plenary meeting, on 21 September 1990, the General Assembly, on the recommendation of the General Committee, decided to include in the agenda of its forty-fifth session the item entitled "United Nations pension system" and to allocate it to the Fifth Committee.

2. The Fifth Committee considered the item at its 27th, 29th to 31st, 34th, 35th and 48th meetings, from 12 November 1990 to 17 December 1990. Comments made in the course of the discussion on this item are reflected in the relevant summary records (A/C.5/45/SR.27, 29-31, 34, 35 and 48).

3. The Committee had before it the following documents:

(a) Report of the United Nations Joint Staff Pension Board for 1990, 1/ including the report of the Board of Auditors on the accounts of the United Nations Joint Staff Pension Fund for the year ended 31 December 1989 and containing a draft resolution proposed for adoption by the General Assembly;

(b) Report of the International Civil Service Commission; 2/

1/ Official Records of the General Assembly, Forty-fifth Session, Supplement No. 9 (A/45/9).

2/ Ibid., Supplement No. 30 (A/44/30 and Add.1), chap. III.

(c) Report of the Secretary-General on the investments of the United Nations Joint Staff Pension Fund (A/C.5/45/7);

(d) Notes by the Secretary-General transmitting International Telecommunication Union Administrative Council resolution No. 997 (A/C.5/45/22) and a statement by the Administrative Committee on Co-ordination (A/C.5/45/43);

(e) Report of the Advisory Committee on Administrative and Budgetary Questions (A/45/699).

4. The reports of the United Nations Joint Staff Pension Board and of the International Civil Service Commission were introduced by the respective Chairmen at the 27th meeting, on 12 November.

II. CONSIDERATION OF DRAFT RESOLUTION A/C.5/45/L.14

5. At the 48th meeting, on 17 December, following informal consultations, the Vice-Chairman of the Committee introduced draft resolution A/C.5/45/L.14.

6. At the same meeting, the Committee adopted the draft resolution without a vote (see para. 8).

7. A statement in explanation of position was made by the representative of Hungary.

III. RECOMMENDATION OF THE FIFTH COMMITTEE

8. The Fifth Committee recommends to the General Assembly the adoption of the following draft resolution:

United Nations pension system

The General Assembly,

Recalling its resolution 44/199 of 21 December 1989,

Having considered the report of the United Nations Joint Staff Pension Board for 1990 to the General Assembly and to the member organizations of the United Nations Joint Staff Pension Fund, 3/ chapter III of the report of the International Civil Service Commission, 4/ the report of the Secretary-General on the investments

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3/ Official Records of the General Assembly, Forty-fifth Session, Supplement No. 9 (A/45/9).

4/ Ibid., Supplement No. 30 (A/45/30 and Add.1).

of the Fund, 5/ and the related report of the Advisory Committee on Administrative and Budgetary Questions, 6/

I

PENSIONABLE REMUNERATION OF STAFF IN THE PROFESSIONAL AND HIGHER CATEGORIES

Recalling its request in section I, paragraph 6, of its resolution 41/208 of 11 December 1986 that the International Civil Service Commission undertake, in full co-operation with the United Nations Joint Staff Pension Board, a further comprehensive review of the methodology for the determination of the scale of pensionable remuneration of staff in the Professional and higher categories, for monitoring the level of the scale and for its adjustment between comprehensive reviews, and to submit its recommendations thereon to the General Assembly at its forty-fifth session,

Recalling further its request in section II, paragraph 2, of its resolution 44/199 that the Commission, in full co-operation with the Board, study the desirability of establishing a margin range between the pensionable remuneration of staff in the United Nations common system and staff in comparable grades in the comparator civil service,

Noting with satisfaction that the close co-operation between the Commission and the Board had resulted in agreement between the two bodies on the substantive issues involved in the determination of the scale of pensionable remuneration, as reflected in their respective reports,

Noting further the views of the International Civil Service Commission and the United Nations Joint Staff Pension Board on the desirability of a margin range for pensionable remuneration, as set out in paragraphs 33 to 37 of the report of the International Civil Service Commission 4/ and paragraphs 50 to 55 of the report of the United Nations Joint Staff Pension Board, 3/

Recalling the criteria established by the General Assembly in section I of its resolution 41/208 for the determination of the scale of pensionable remuneration for staff in the Professional and higher categories,

1. Approves the recommendations made by the International Civil Service Commission and the United Nations Joint Staff Pension Board for the determination of the scale of pensionable remuneration for staff in the Professional and higher categories, for monitoring the level of the scale and for its adjustment in between comprehensive reviews, namely:

5/ A/C.5/45/7.

6/ A/45/699.

(a) That income replacement in New York should continue to be used as the basis of the methodology for the determination of pensionable remuneration of staff in the Professional and higher categories, bearing in mind the relationship between pensionable remuneration amounts for United Nations staff in the Professional and higher categories and for their counterparts in the United States federal civil service;

(b) That the methodology used to establish the 1 April 1987 scale of pensionable remuneration on the occasion of the previous comprehensive review should continue to be used;

(c) That the scale of staff assessment shown in annex III of the report of the International Civil Service Commission 4/ should be used for the determination of pensionable remuneration for staff in the Professional and higher categories;

(d) That the interim adjustment procedure, as amended by the General Assembly at its forty-fourth session, should be continued;

(e) That the procedure outlined in annex IV of the report of the International Civil Service Commission 4/ should be used for the calculation and reporting of the annual pensionable remuneration margin;

(f) That the income replacement ratios applicable over the three-year period ending on 31 December of the margin year should be calculated for both the comparator and the United Nations system and reported to the General Assembly;

(g) That, following the annual review of the pensionable remuneration margin and the income replacement ratios, the Commission and the Board shall report and make their respective recommendations, as appropriate, to the General Assembly;

2. Amends, with effect from 1 January 1991, article 54 (b) of the Regulations of the United Nations Joint Staff Pension Fund, as set out in the annex to the present resolution;

3. Requests the International Civil Service Commission, in full co-operation with the United Nations Joint Staff Pension Board, to undertake in 1995 a further comprehensive review of the methodology for the determination of the scale of pensionable remuneration of staff in the Professional and higher categories, for monitoring the level of the scale and for its adjustment between comprehensive reviews, and to present recommendations thereon to the General Assembly at its fiftieth session;

II

PENSIONABLE REMUNERATION AND PENSIONS OF UNGRADED OFFICIALS

Taking note of the information provided in paragraphs 59 to 67 and in annex IV of the report of the United Nations Joint Staff Pension Board on the pensionable remuneration and net remuneration of ungraded officials, including the executive heads of member organizations of the Fund, and on the possible amendments to the

Pension Fund Regulations considered by the United Nations Joint Staff Pension Board to cover such officials;

Noting further that the International Civil Service Commission, in the light of the advisory opinion it had received from the United Nations Legal Counsel, concluded that it had neither the statutory authority nor the mandate from the General Assembly to address the matter of the pensionable remuneration of ungraded officials;

Believing that a common system approach should be used for the determination of the pensionable remuneration and pensions of all participants in the United Nations Joint Staff Pension Fund, including ungraded officials;

1. Expresses concern at the divergent practices that have emerged since 1984 in the common system in respect of the pensionable remuneration of ungraded officials;

2. Requests the International Civil Service Commission, in full co-operation with the United Nations Joint Staff Pension Board, to review the methodology for the determination of the pensionable remuneration of ungraded officials, including the executive heads of member organizations who are participants in the Fund, and to submit recommendations thereon to the General Assembly at its forty-sixth session, and requests the United Nations Joint Staff Pension Board to recommend consequential changes in the Regulations of the Fund;

3. Invites the governing bodies and executive heads of the member organizations of the Fund to co-operate with the International Civil Service Commission and the United Nations Joint Staff Pension Board, taking account of the information contained in paragraphs 59 to 67 and annex IV of the report of the United Nations Joint Staff Pension Board; 3/

III

PENSIONABLE REMUNERATION OF STAFF IN THE GENERAL SERVICE AND OTHER LOCALLY RECRUITED CATEGORIES

1. Takes note of the intention of the International Civil Service Commission to undertake, in 1991, in full co-operation with the United Nations Joint Staff Pension Board, a comprehensive review of the pensionable remuneration and consequent pensions of staff in the General Service and other locally recruited categories and of the arrangements, designed to ensure full co-operation in the conduct of that review, agreed upon by the International Civil Service Commission as set out in paragraphs 55 to 57 of its report 4/ and by the United Nations Joint Staff Pension Board as set out in paragraphs 72 to 75 of its report; 3/

2. Requests the International Civil Service Commission, in full co-operation with the United Nations Joint Staff Pension Board, to present recommendations thereon to the General Assembly at its forty-sixth session;

IV

CHANGES IN THE PENSION ADJUSTMENT SYSTEM

1. Takes note of section III.E of the report of the United Nations Joint Staff Pension Board 3/ on the pension adjustment system, in particular of the modifications of that system considered by the United Nations Joint Staff Pension Board, including the proposal of the International Telecommunication Union, for the determination of the initial local currency pension in the light of the expiration on 31 December 1990 of the interim measure approved by the General Assembly in resolution 42/222 of 21 December 1987;

2. Takes note of the arrangements made by the United Nations Joint Staff Pension Board to continue, in 1991, its efforts to develop a long-term approach to the determination of the initial local currency pension;

3. Approves, with effect from 1 January 1991, the transitional measures recommended by the United Nations Joint Staff Pension Board in paragraph 114 of its report 3/ and the consequential change in the pension adjustment system, as set out in annex X of the report of the Board;

4. Approves, with retroactive effect to 1 July 1990, the change in the pension adjustment system resulting from the introduction of a new salary structure for staff in the Professional and higher categories, as set out in annex X of the report of the United Nations Joint Staff Pension Board; 3/

5. Requests the United Nations Joint Staff Pension Board to give priority to the development of a long-term approach to the determination of the initial local currency pensions, taking into account the observations made by the Advisory Committee on Administrative and Budgetary Questions in paragraphs 25 to 27 of its report 6/ and the need to safeguard the financial health of the Fund while, at the same time, responding to the problems caused by the declining value of pensions in certain countries resulting from currency exchange rate fluctuations, and to submit recommendations on appropriate changes in the pension adjustment system to the General Assembly at its forty-sixth session;

6. Invites the governing bodies of the Fund's other member organizations to refrain from seeking to establish for their staff, whether by provisions in their staff regulations or by other means, additional pension entitlements, as such action would be detrimental to the common system under which all staff should receive equal treatment, irrespective of their employing organization;

V

ASSISTANCE TO THE INTERNATIONAL LABOUR ORGANISATION IN IMPLEMENTING JUDGEMENT NO. 990 OF ITS ADMINISTRATIVE TRIBUNAL

1. Takes note of the information provided in paragraphs 188 and 189 of the report of the United Nations Joint Staff Pension Board 3/ on the International Labour Organisation Administrative Tribunal Judgement No. 990 [In re Cuvillier (No. 3)] and the request by the Director-General of the International Labour

Organisation for assistance by the United Nations Joint Staff Pension Board in the implementation of that judgement;

2. Concurs with the views of the United Nations Joint Staff Pension Board, as set out in paragraph 190 of its report, 3/ that the assistance requested should be provided only if the conditions specified by the United Nations Joint Staff Pension Board in that paragraph are met;

3. Urges the Governing Body of the International Labour Organisation, in considering possible amendments of article 3.1.1. of its Staff Regulations, to ensure that the text it eventually adopts corresponds to the provisions made in the staff regulations of the Fund's other member organizations which define pensionable remuneration by direct reference to its definition in the Fund's Regulations, so that pensionable remuneration would be defined uniformly for the staff of all the member organizations of the Fund;

VI

OTHER MATTERS

Takes note of the other matters considered in the report of the United Nations Joint Staff Pension Board; 3/

VII

INVESTMENTS OF THE UNITED NATIONS JOINT STAFF PENSION FUND

1. Takes note of the report of the Secretary-General on the investments of the United Nations Joint Staff Pension Fund; 5/

2. Requests Member States that do not now grant tax exemption on investments of the Fund to make all possible efforts to permit such exemptions.

Annex

Amendment to the Regulations of the United Nations Joint Staff Pension Fund

Article 54

Pensionable remuneration

(b) In the case of participants in the Professional and higher categories, the pensionable remuneration effective 1 November 1990 shall be that set out in the appendix hereto. Thereafter, the scale of pensionable remuneration for such participants shall be adjusted as from the same date as the net remuneration amounts of officials in the Professional and higher categories in New York are adjusted. Such adjustment shall be by a uniform percentage equal to the variation in the net remuneration amounts, as determined by the International Civil Service Commission.

Appendix

SCALE OF PENSIONABLE REMUNERATION FOR STAFF IN THE PROFESSIONAL AND HIGHER CATEGORIES

(in United States dollars)

Effective 1 November 1990

	S T E P S														
Level	I	II	III	IV	V	VI	VII	VIII	IX	X	XI	XII	XIII	XIV	XV
USG	137 349														
ASG	127 082														
D-2	106 311	108 863	111 269	113 766	116 320	118 931									
D-1	93 733	95 857	98 028	100 151	102 326	104 483	106 571	108 701	110 873						
P-5	83 208	85 115	86 940	88 801	90 729	92 516	94 421	96 618	98 585	100 430	102 310	104 225	106 175		
P-4	68 407	70 219	72 022	73 739	75 607	77 404	79 231	81 256	83 115	85 087	86 402	88 263	90 164	92 106	94 090
P-3	56 051	57 792	59 474	61 079	62 734	64 369	66 111	68 193	69 559	71 399	72 749	74 354	76 016	77 715	79 453
P-2	45 302	46 750	48 121	49 590	51 058	52 397	53 856	55 567	57 188	58 652	59 788	60 947			
P-1	35 525	36 744	37 824	38 925	40 139	41 228	42 533	45 669	46 978						

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Forty-fifth session
Agenda item 23
QUESTION OF PALESTINE

SECURITY COUNCIL
Forty-fifth year

Letter dated 18 December 1990 from the Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People addressed to the Secretary-General

In my capacity as Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People, I wish to condemn the resumption by Israel, the occupying Power, of its policy of deporting Palestinians from the occupied Palestinian territory.

According to The New York Times of 16 and 17 December 1990, the Israeli Defence Minister has ordered the deportation of four residents of the Gaza Strip suspected of being middle-ranking leaders of Hamas (the Islamic Resistance Movement). They are Imad al-Almi, 34 years old, of Gaza City; Fadel Zaabut, 36, a teacher at the Islamic College in Gaza City; Mustafa al-Lidani, 25, of Jabaliya refugee camp; and Sheik Mustafa Knuah, 45, also of Jabaliya. The deportations were ordered following the slaying of three Israeli workers in Jaffa on 14 December. No specific charges, however, have been brought against the four Palestinians. In its search for the perpetrators of the killing, the Israeli army is reported to have arrested more than 1,000 Palestinians in the West Bank and the Gaza Strip over the weekend, in the largest sweep since the early days of the intifadah.

The New York Times also reported that the Israeli Defence Minister has pledged to deport more Palestinians from the occupied Palestinian territory in the future. Since the beginning of the intifadah, Israel has deported at least 59 Palestinians, in violation of the relevant provisions of the Geneva Convention relative to the Protection of Civilian Persons in Time of War of 12 August 1949 and several resolutions of the Security Council.

The Committee on the Exercise of the Inalienable Rights of the Palestinian People is gravely concerned at the escalation of violence in the occupied

Palestinian territory and at the increasing imposition of collective punishment measures against the Palestinians by the Israeli authorities. Following the events in Jerusalem in early October, Israel has repeatedly closed the occupied Palestinian territory, preventing Palestinians from entering Israel and Jerusalem. On 20 November, the Jerusalem Post reported that 10,000 Palestinians previously jailed during the intifadah, would be issued green identity cards barring them permanently from entering Israel. According to the Washington Post of 15 December 1990, thousands of workers have been dismissed, and their jobs taken over by Jewish immigrants from the Soviet Union. Reuters reported on 21 November 1990 that military authorities were again stepping up punitive house demolitions, and that 11 houses had been destroyed and 8 sealed in the West Bank and Gaza Strip in the preceding two weeks. Al Fajr of 3 December 1990 reported that four Palestinian universities in the West Bank and Gaza Strip, closed since the beginning of the intifadah, were ordered closed for another three months in early December. On 12 December 1990, it was reported by Ha'aretz that a new tactic had been adopted of stationing military sharpshooters in hidden places in the West Bank in order to shoot stone-throwers.

These increasingly repressive measures are being taken against a background of total intransigence by the Israeli Government towards efforts to promote a just political settlement. The Committee on the Exercise of the Inalienable Rights of the Palestinian People strongly deplores statements made by Mr. Yitzhak Shamir, Prime Minister of Israel, in late November reportedly expressing his Government's commitment to the ideal of an Israeli State from the Mediterranean Sea to the Jordan River and linking the continuation of occupation with the need to absorb Jewish immigrants from the Soviet Union and elsewhere.

In light of these very disturbing developments, the Committee wishes to reaffirm the imperative need to provide effective protection for the Palestinians in the occupied Palestinian territory and to promote a comprehensive, just and lasting settlement of the question of Palestine, the core of the Middle East conflict, through the convening of the International Peace Conference on the Middle East, as reaffirmed by the General Assembly in its resolution 45/68 of 6 December 1990.

I should be grateful if you would arrange for this letter to be circulated as a document of the General Assembly, under agenda item 23, and of the Security Council.

(Signed) Absa Claude DIALLO
Chairman of the
Committee on the Exercise of
the Inalienable Rights of the
Palestinian People